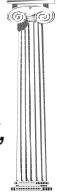


City of Lake Stevens Vision Statement

By 2030, we are a sustainable community around the lake with a vibrant economy, unsurpassed infrastructure and exceptional quality of life.



CITY COUNCIL REGULAR MEETING AGENDA
Lake Stevens School District Educational Service Center (Admin. Bldg.)
12309 22nd Street NE, Lake Stevens
Monday, November 25, 2013 - 7:00 p.m.

NOTE: **WORKSHOP ON VOUCHERS AT 6:45 P.M.**

CALL TO ORDER: 7:00 p.m.
Pledge of Allegiance

ROLL CALL:

INTRODUCTION: A. Police Commander Dennis Taylor.

GUEST BUSINESS: A. Family Center update.

CONSENT AGENDA:

*A.	Approve November vouchers.	Barb
*B.	Approve Council regular meeting minutes of November 12, 2013.	Norma
*C.	Approve first and final reading of Ordinance No. 905, 2013 budget amendment.	Barb

PUBLIC HEARING:

PUBLIC HEARING FORMAT:

1. Open Public Hearing
2. Staff presentation
3. Council's questions of staff
4. Proponent's comments
5. Comments from the audience
6. Close public comments portion of hearing
7. Discussion by City Council
8. Re-open the public comment portion of the hearing for additional comments (optional)
9. Close Hearing
10. COUNCIL ACTION:
 - a. Approve
 - b. Deny
 - c. Continue

- | | | |
|-----|--|------|
| *A. | Public Hearing in consideration of second and final reading of Ordinance No. 904, proposed 2014 Budget. | Barb |
| *B. | Public Hearings in consideration of first readings of: <ol style="list-style-type: none">1. Ordinance No. 902, 2013 Comprehensive Plan Docket2. Ordinance No. 903, code amendments. | Russ |

Lake Stevens City Council Regular Meeting Agenda

November 25, 2013

- ACTION ITEMS:**
- *A. Adopt Resolution No. 2013-13, fees amendment. Mick
 - *B. Approve traffic calming partnership – Heleena Hills Homeowners Association (HOA). Mick
 - *C. Approve City Attorney agreement with Weed, Graafstra and Benson. Jan

DISCUSSION ITEMS:

COUNCIL PERSON'S BUSINESS:

MAYOR'S BUSINESS:

STAFF REPORTS:

INFORMATION ITEMS:

- EXECUTIVE SESSION:**
- A. Discuss purchase of real estate.

ADJOURN:

* ITEMS ATTACHED	** ITEMS PREVIOUSLY DISTRIBUTED	# ITEMS TO BE DISTRIBUTED
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THE PUBLIC IS INVITED TO ATTEND

Special Needs

The City of Lake Stevens strives to provide accessible opportunities for individuals with disabilities. Please contact Steve Edin, City of Lake Stevens ADA Coordinator, (425) 377-3227, at least five business days prior to any City meeting or event if any accommodations are needed. For TDD users, please use the state's toll-free relay service, (800) 833-6384, and ask the operator to dial the City of Lake Stevens City Hall number.

NOTICE:

All proceedings of this meeting are audio recorded, except Executive Sessions

**BLANKET VOUCHER APPROVAL
 2013**

We, the undersigned Council members of the City of Lake Stevens, Snohomish County, Washington, do hereby certify that the merchandise or services hereinafter specified have been received and that the following vouchers have been approved for payment:

Payroll Direct Deposits	907937-907991	\$127,349.58
Payroll Checks	35973	\$2,544.30
Electronic Funds Transfers	663-667	\$4,866.63
Claims	35974-36047	\$199,459.56
Void Checks	35925	(\$21.69)
Tax Deposit(s)	11/15/2013	\$52,293.64
Total Vouchers Approved:		\$386,492.02

This 25th day of November 2013:

 Mayor

 Councilmember

 Finance Director

 Councilmember

 Councilmember

 Councilmember



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Direct Deposit Register

20-Nov-2013

Wells Fargo - AP

Lake Stevens

Direct Deposits to Accounts

20-Nov-2013	<u>Vendor</u>	<u>Source</u>	<u>Amount</u>	<u>Draft#</u>	<u>Bank Name</u>	<u>Transit</u>	<u>Account</u>
9407	Department of Retirement (Pers	C	\$2,025.00	663	Wells Fargo	121000248	4159656917
9408	NATIONWIDE RETIREMENT SOL	C	\$1,573.25	664	Wells Fargo	121000248	4159656917
9405	Wash State Support Registry	C	\$402.46	665	Wells Fargo	121000248	4159656917
Total:			\$4,000.71		Count:	3.00	

Direct Deposit Summary

<i>Type</i>	<i>Count</i>	<i>Total</i>
C	3	\$4,000.71

Pre-Note Transactions

Direct Deposit Register

20-Nov-2013

Wells Fargo - AP

Lake Stevens

Direct Deposits to Accounts

15-Nov-2013	<u>Vendor</u>	<u>Source</u>	<u>Amount</u>	<u>Draft#</u>	<u>Bank Name</u>	<u>Transit</u>	<u>Account</u>
13027	DEPARTMENT OF LICENSING	C	\$618.00	666	Wells Fargo	123456789	123123123
9362	Department of Revenue	C	\$247.92	667	Wells Fargo	121000248	4159656917
Total:			\$865.92		Count:	2.00	

Direct Deposit Summary

<u>Type</u>	<u>Count</u>	<u>Total</u>
C	2	\$865.92

Pre-Note Transactions

Detail Check Register

20-Nov-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
35974	20-Nov-13	969	Business Card		\$1,626.41
11/13 0979			Uniform pcs/keys/H&S fair	\$185.72	\$0.00
					\$185.72
001008521002600			Law Enforcment Clothing	\$166.28	
001008521003104			Law Enforcement-Operating Cost	\$9.44	
001008521004300			Law Enforce - Travel & Mtgs	\$10.00	
11/13 1056			Meetings	\$31.49	\$0.00
					\$31.49
001003511104300			Executive - Travel & Mtgs	\$16.99	
001003513104300			Administration - Travel & Mtgs	\$14.50	
11/13 1324			Trvl/printing/advertising	\$55.84	\$0.00
					\$55.84
001007558004200			Planning - Communication	\$5.80	
001007558004300			Planning - Travel & Mtgs	\$7.00	
001007558004400			Planning - Advertising	\$39.67	
001007558004902			Planning - Printing and Bindin	\$3.37	
11/13 7750			ADA door parts/Training/Lifeline/mtg	\$796.93	\$0.00
					\$796.93
001012572503100			Library - Office And Operating	\$386.25	
101016542003102			Street Fund Operating Costs	\$231.11	
101016542004300			Street Fund - Travel & Mtgs	\$22.53	
410016542403102			Storm Water - Operating Costs	\$77.04	
410016542404901			Storm Water - Staff Developmen	\$80.00	
11/13 8877			Postage/meetings	\$556.43	\$0.00
					\$556.43
001008521003104			Law Enforcement-Operating Cost	\$80.50	
001008521004200			Law Enforcement - Communicatio	\$400.00	
001008521004300			Law Enforce - Travel & Mtgs	\$75.93	
				Total Of Checks:	\$1,626.41

Detail Check Register

21-Nov-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
35975	25-Nov-13	1579	ACE HARDWARE		\$132.45
40041			Socket & Grease	\$21.69	\$0.00
					\$21.69
001010575304901			Historical Museum	\$21.69	
40059			Electrical supplies	\$33.18	\$0.00
					\$33.18
001013519903100			General Government - Operating	\$33.18	
40077			Lithium Batteries	\$30.39	\$0.00
					\$30.39
001008521003100			Law Enforcement - Office Suppl	\$30.39	
40232			Tarp	\$32.55	\$0.00
					\$32.55
001008521003104			Law Enforcement-Operating Cost	\$32.55	
40238			Bungee cord and rope	\$14.64	\$0.00
					\$14.64
001008521003104			Law Enforcement-Operating Cost	\$14.64	
35976	25-Nov-13	13328	ACES		\$689.00
9678			Ssafety mtg: Back Safety	\$689.00	\$0.00
					\$689.00
001003517620000			Admin. Safety program	\$162.60	
101016517620000			safety program	\$305.92	
410016517620000			safety program	\$220.48	
35977	25-Nov-13	14064	Angela Michaelson		\$138.00
Per Diem			Per Diem for LEIRA Training	\$138.00	\$0.00
					\$138.00
001008521004300			Law Enforce - Travel & Mtgs	\$138.00	
35978	25-Nov-13	13599	Auto Additions Inc		\$1,265.71
IN0010262			PT52 / Lights	\$677.01	\$0.00
					\$677.01
520008521006400			Purchase Of Capital Equipment	\$677.01	
IN0010380			PT52 Build	\$588.70	\$0.00
					\$588.70
520008521006400			Purchase Of Capital Equipment	\$588.70	
35979	25-Nov-13	174	Bills Blueprint		\$76.41
478249			Printing	\$76.41	\$0.00
					\$76.41
001007558004902			Planning - Printing and Bindin	\$76.41	
35980	25-Nov-13	13876	Bitco Software LLC		\$145.00
526			Implementation svcs-Fee update	\$145.00	\$0.00
					\$145.00
001007558004800			Planning - Repairs & Maint.	\$145.00	
35981	25-Nov-13	179	Blumenthal Uniforms		\$186.74

Detail Check Register

21-Nov-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor		Check Amount	
30318			Anderson/Michaelson Uniform Swea	\$186.74	\$0.00	\$186.74
		001008521002600	Law Enforcment Clothing	\$186.74		
35982	25-Nov-13	11952	Carquest Auto Parts Store			\$230.09
2421-197600			Oil	\$73.99	\$0.00	\$73.99
		101016542003102	Street Fund Operating Costs	\$51.79		
		410016542403102	Storm Water - Operating Costs	\$22.20		
2421-197601			Filters	\$39.13	\$0.00	\$39.13
		101016542003102	Street Fund Operating Costs	\$27.39		
		410016542403102	Storm Water - Operating Costs	\$11.74		
2421-197697			Wiper blades	\$30.23	\$0.00	\$30.23
		101016542003102	Street Fund Operating Costs	\$30.23		
2421-197874			Filters & Oil	\$86.74	\$0.00	\$86.74
		101016542003102	Street Fund Operating Costs	\$60.72		
		410016542403102	Storm Water - Operating Costs	\$26.02		
35983	25-Nov-13	12182	Central Welding Supply			\$19.86
190202			Compressed Oxygen	\$19.86	\$0.00	\$19.86
		101016542003102	Street Fund Operating Costs	\$19.86		
35984	25-Nov-13	12004	CITY OF MARYSVILLE			\$21,644.17
13-019			Court Citations Oct 2013	\$5,097.10	\$0.00	\$5,097.10
		001013512500001	Municipal Court Fees	\$5,097.10		
POLIN11-0347			Prisoner hsg Oct 2013	\$16,351.62	\$0.00	\$16,351.62
		001008523005100	Law Enforcement - Jail	\$16,351.62		
POLIN11-0352			Oct 2013 Prisoner Medical	\$300.00	\$0.00	\$300.00
		001008523005100	Law Enforcement - Jail	\$300.00		
POLIN11-0353			Oct 2013 Prisoner Hsg	(\$104.55)	\$0.00	(\$104.55)
		001008523005100	Law Enforcement - Jail	(\$104.55)		
35985	25-Nov-13	280	City of Mountlake Terrace			\$1,682.00
2556			2014 Housing Assessment	\$1,682.00	\$0.00	\$1,682.00
		001007558004100	Planning - Professional Servic	\$1,682.00		
35986	25-Nov-13	13030	COMCAST			\$109.76
11/13 0443150			Communications - internet	\$109.76	\$0.00	\$109.76

Detail Check Register

21-Nov-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor			Check Amount
001003513104200			Administration-Communications			\$2.20
001003514104200			City Clerks-Communications			\$6.59
001003516104200			Human Resources-Communications			\$2.20
001003518104200			IT Dept-Communications			\$4.39
001004514234200			Finance - Communications			\$4.39
001007558004200			Planning - Communication			\$17.56
001008521004200			Law Enforcement - Communicatio			\$63.66
001010576804200			Parks - Communication			\$2.93
101016542004200			Street Fund - Communications			\$2.92
410016542404200			Storm Water - Communications			\$2.92
35987	25-Nov-13	13841	Comcast			\$120.80
10/13 0827887			Signal control	\$120.80	\$0.00	\$120.80
101016542640000			Street Fund - Traffic Control	\$120.80		
35988	25-Nov-13	13841	Comcast			\$85.71
10/13 0808840			Internet services - shop	\$85.71	\$0.00	\$85.71
101016542004200			Street Fund - Communications	\$42.86		
410016542404200			Storm Water - Communications	\$42.85		
35989	25-Nov-13	91	Corporate Office Supply			\$517.93
144474i			office supplies	\$3.80	\$0.00	\$3.80
001008521003100			Law Enforcement - Office Suppl	\$3.80		
144780i			Supplies	\$199.79	\$0.00	\$199.79
001004514233100			Finance - Office Supplies	\$134.95		
001013519903100			General Government - Operating	\$64.84		
145025i			paper and supplies	\$314.34	\$0.00	\$314.34
001008521003100			Law Enforcement - Office Suppl	\$314.34		
35990	25-Nov-13	9386	Crystal and Sierra Springs			\$250.91
5249844110113			Bottled water	\$250.91	\$0.00	\$250.91
001007558003200			Planning-Operating Costs	\$45.42		
001007559003101			Building Department - Operatin	\$45.42		
001013519903100			General Government - Operating	\$69.82		
101016542003102			Street Fund Operating Costs	\$45.12		
410016542403102			Storm Water - Operating Costs	\$45.13		
35991	25-Nov-13	13182	Dean Thomas			\$40.22
11/07/13			Tool Box-for Detective Eq	\$40.22	\$0.00	\$40.22
001008521003104			Law Enforcement-Operating Cost	\$40.22		
35992	25-Nov-13	13582	Deborah Smith			\$138.00
Per Diem			Per Diem for LEIRA Training	\$138.00	\$0.00	\$138.00

Detail Check Register

21-Nov-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001008521004300			Law Enforce - Travel & Mtgs	\$138.00	
35993	25-Nov-13	12369	DELL MARKETING L.P.		\$3,555.61
XJ8C413P1			Computer Replacement QTY 3	\$3,555.61	\$0.00
510013519606400			Purchase Computer Equipment	\$3,555.61	
35994	25-Nov-13	13782	Department of Revenue		\$146.95
3109-2013-Qtr3			Q3 2013 Credit Card fees	\$146.95	\$0.00
001003514104901			City Clerk-Misc CC Fees (DOL)	\$146.95	
35995	25-Nov-13	473	Electronic Business Machines		\$401.56
093345			Copier Maint	\$244.07	\$0.00
001013519904800			General Government - Repair/Ma	\$244.07	
093389			Copier Maint	\$157.49	\$0.00
001008521004800			Law Enforcement - Repair & Mai	\$157.49	
35996	25-Nov-13	13709	Franklin Nelson		\$87.01
11/07/13			Tool Box-for Investigation Eq	\$87.01	\$0.00
001008521003104			Law Enforcement-Operating Cost	\$87.01	
35997	25-Nov-13	13764	Frontier		\$95.63
11/13 4253340835			Telephone services	\$95.63	\$0.00
001013519904200			General Government - Communica	\$31.88	
101016542004200			Street Fund - Communications	\$31.87	
410016542404200			Storm Water - Communications	\$31.88	
35998	25-Nov-13	12393	GLENS RENTAL SALES & SERVICE		\$450.04
S4467			Replace chain saw, tag #0112	\$285.51	\$0.00
101016542003102			Street Fund Operating Costs	\$225.00	
410016542403102			Storm Water - Operating Costs	\$60.51	
S4468			Air compressor rental	\$164.53	\$0.00
309016595616301			Sidewalk Construction	\$164.53	
35999	25-Nov-13	13010	Grainger		\$285.78
30447522			Screws and cable ties	\$26.77	\$0.00
101016542003102			Street Fund Operating Costs	\$26.77	
9282573618			wraparound light fixture	\$68.44	\$0.00
001013551503100			Community Center - Operations	\$68.44	
9282972430			Sidewall/ceiling register	\$5.25	\$0.00

Detail Check Register

21-Nov-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
101016542003102			Street Fund Operating Costs	\$5.25	
9283539493			Batteries	\$43.12	\$0.00 \$43.12
101016542003102			Street Fund Operating Costs	\$30.18	
410016542403102			Storm Water - Operating Costs	\$12.94	
9283769512			Battery	\$39.38	\$0.00 \$39.38
101016542003102			Street Fund Operating Costs	\$14.00	
101016542660000			Street Fund - Snow & Ice Contr	\$13.38	
410016542403102			Storm Water - Operating Costs	\$12.00	
9284524442			Air Hose	\$58.94	\$0.00 \$58.94
101016542003102			Street Fund Operating Costs	\$41.26	
410016542403102			Storm Water - Operating Costs	\$17.68	
9286041448			Batteries	\$43.88	\$0.00 \$43.88
101016542003102			Street Fund Operating Costs	\$30.72	
410016542403102			Storm Water - Operating Costs	\$13.16	
36000	25-Nov-13	13971	Granite Construction Co		\$594.48
50822			WSP In Honor of sign	\$27.15	\$0.00 \$27.15
101016542003102			Street Fund Operating Costs	\$27.15	
51201			Reflective tape	\$40.73	\$0.00 \$40.73
101016542003102			Street Fund Operating Costs	\$30.55	
410016542403102			Storm Water - Operating Costs	\$10.18	
51203			20 hardhats	\$526.60	\$0.00 \$526.60
101016542003102			Street Fund Operating Costs	\$412.50	
410016542403102			Storm Water - Operating Costs	\$114.10	
36001	25-Nov-13	13785	Group Health Coop		\$570.20
773329-201311			Employee screening	\$570.20	\$0.00 \$570.20
001008521004100			Law Enforcement - Professional	\$568.00	
101016542004100			Street Fund - Professional Ser	\$2.20	
36002	25-Nov-13	673	Home Depot		\$78.51
2573517			library downspouts	\$78.51	\$0.00 \$78.51
001012572503100			Library - Office And Operating	\$78.51	
36003	25-Nov-13	14036	Information Display Company		\$23,875.88
5653F2			School zone flashing lights for Pilch	\$23,875.88	\$0.00 \$23,875.88
101016595646300			Traffic Control - Capital	\$23,875.88	
36004	25-Nov-13	13232	Integra Telecom, Inc		\$917.24
11466006			Telephone services	\$917.24	\$0.00 \$917.24

Detail Check Register

21-Nov-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001003513104200			Administration-Communications	\$13.48	
001003514104200			City Clerks-Communications	\$26.97	
001003516104200			Human Resources-Communications	\$13.48	
001003518104200			IT Dept-Communications	\$40.45	
001004514234200			Finance - Communications	\$26.97	
001007558004200			Planning - Communication	\$87.69	
001007559004200			Building Department - Communci	\$13.48	
001008521004200			Law Enforcement - Communicatio	\$458.62	
001010575304200			Historical - Communications	\$13.48	
001013519904200			General Government - Communica	\$53.93	
001013555504200			Commnity Center-Communication	\$13.48	
101016542004200			Street Fund - Communications	\$77.60	
410016542404200			Storm Water - Communications	\$77.61	
36005	25-Nov-13	12648	IRON MOUNTAIN QUARRY LLC		\$483.81
0221643			30 tons of 1 man rock for emergenc	\$256.27	\$0.00
101016542003102			Street Fund Operating Costs	\$256.27	
0221721			30 tons of 1 man rock for emergenc	\$227.54	\$0.00
101016542003102			Street Fund Operating Costs	\$227.54	
36006	25-Nov-13	13327	Jennifer Anderson		\$416.66
November 2013			Section 125 Dep Care Reimb	\$416.66	\$0.00
001000281000000			Payroll Liabilities	\$416.66	
36007	25-Nov-13	13885	Lake Industries LLC		\$30.00
27531			Dump fees	\$30.00	\$0.00
410016531503114			DOE- G1400295 Capacity Exp	\$30.00	
36008	25-Nov-13	11777	Lake Stevens Fire		\$1,226.00
7394			CPR class	\$66.00	\$0.00
001003516103100			Human Resources-Office Supplie	\$66.00	
7397			3rd Qtr Fire Fees	\$1,160.00	\$0.00
633000589500000			Fire Dept Fee Remittance	\$1,160.00	
36009	25-Nov-13	852	Lake Stevens Journal		\$348.40
80156			Notice of Public Hearing-Planning C	\$63.65	\$0.00
001007558004400			Planning - Advertising	\$63.65	
80183			Notice of Public Hearing-Planning C	\$63.65	\$0.00
001007558004400			Planning - Advertising	\$63.65	

Detail Check Register

21-Nov-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor		Check Amount
80246			Public Hearing - 2014 Budget	\$30.15	\$30.15
		001004514234400	Finance Advertising	\$30.15	
80247			LUA2013-0023 Bayview	\$87.10	\$87.10
		001007558004400	Planning - Advertising	\$87.10	
80248			LUA2013-0106-S&G Subdivision	\$53.60	\$53.60
		001007558004400	Planning - Advertising	\$53.60	
80295			Ordinance 901	\$20.10	\$20.10
		001013514304400	General Government - Advertisin	\$20.10	
80296			Public Hearing - 2014 Budget	\$30.15	\$30.15
		001004514234400	Finance Advertising	\$30.15	
36010	25-Nov-13	12751	LAKE STEVENS POLICE GUILD		\$957.00
11/15/13			Union dues	\$957.00	\$957.00
		001000281000000	Payroll Liabilities	\$957.00	
36011	25-Nov-13	9340	Lake Stevens School District		\$462.00
Jun-Oct 2013			Facilities rental June-Oct 2013	\$462.00	\$462.00
		001001511604501	Legislative - Rentals	\$342.00	
		001008521004300	Law Enforce - Travel & Mtgs	\$120.00	
36012	25-Nov-13	860	Lake Stevens Sewer District		\$675.00
11/13			Utilities - sewer	\$675.00	\$675.00
		001008521004700	Law Enforcement - Utilities	\$150.00	
		001010576804700	Parks - Utilities	\$150.00	
		001012572504700	Library - Utilities	\$75.00	
		001013519904700	General Government - Utilities	\$300.00	
36013	25-Nov-13	13691	Marshbank Construction, Inc		\$1,793.00
Reimbursement			Overpmt - electric connection	\$1,793.00	\$1,793.00
		001013589000000	Refunds	\$1,793.00	
36014	25-Nov-13	14028	Natalie Quick Consulting		\$1,400.00
11/06/13			Professional Svcs	\$1,400.00	\$1,400.00
		001007558804111	Planning-Economic Development	\$1,400.00	
36015	25-Nov-13	12602	NELSON TRUCK & EQUIPMENT		\$128.59
578528			Repair snow plow for PW23	\$128.59	\$128.59
		101016542660000	Street Fund - Snow & Ice Contr	\$128.59	

Detail Check Register

21-Nov-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
36016	25-Nov-13	12684	NORTHWEST CASCADE INC.		\$218.00
1-796760			Honeybucket rental	\$218.00	\$0.00
					\$218.00
001010576804500			Parks - Equipment Rental	\$218.00	
36017	25-Nov-13	9387	Paclab Network Laboratories		\$62.40
11/01/13			Drug screening	\$62.40	\$0.00
					\$62.40
001008521003104			Law Enforcement-Operating Cost	\$62.40	
36018	25-Nov-13	14063	Paula Shade		\$40.00
CR#45636			Refund dog licences	\$40.00	\$0.00
					\$40.00
001000322003000			Animal Licenses	\$40.00	
36019	25-Nov-13	1066	PERTEET ENGINEERING, INC.		\$15,900.86
20110012.000-5			Planning svcs-S&G Development	\$2,982.60	\$0.00
					\$2,982.60
001007558004107			Planning-CA - Developer Reimb	\$2,982.60	
20110012.006-3			Planning svcs-Tenelco-Evergreen	\$10,391.96	\$0.00
					\$10,391.96
001007558004107			Planning-CA - Developer Reimb	\$10,391.96	
20110012.007-1			Planning svcs-Ebey View Site Plan	\$2,526.30	\$0.00
					\$2,526.30
001007558004107			Planning-CA - Developer Reimb	\$2,526.30	
36020	25-Nov-13	12450	PITNEY BOWES		\$112.17
9619164-NV13			Postage machine rental	\$112.17	\$0.00
					\$112.17
001013519904500			General Government-Equip Renta	\$112.17	
36021	25-Nov-13	12520	PUBLIC SAFETY TESTING		\$425.00
2013-5320			Recruiting assist-Police Officer	\$425.00	\$0.00
					\$425.00
001003516904100			Civil Service - Professional S	\$425.00	
36022	25-Nov-13	11869	PUGET SOUND ENERGY		\$242.81
11/05/2013			Utilities - gas	\$114.09	\$0.00
					\$114.09
001008521004700			Law Enforcement - Utilities	\$114.09	
11/8/2013			Utilities - Gas	\$128.72	\$0.00
					\$128.72
001010576804700			Parks - Utilities	\$42.91	
101016542004700			Street Fund - Utilities	\$42.91	
410016542404701			Storm Water Utilities	\$42.90	
36023	25-Nov-13	13152	Quest Technologies		\$363.76
94741264			Sound measuring device calibration	\$363.76	\$0.00
					\$363.76

Detail Check Register

21-Nov-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001008521004800			Law Enforcement - Repair & Mai	\$363.76	
36024	25-Nov-13	13094	Rebecca Ableman		\$422.38
November 2013			Section 125 Unreimb medical	\$217.98	\$0.00
001000281000000			Payroll Liabilities	\$217.98	
unreimb med			Section 125 unreimb medical pmt	\$204.40	\$0.00
001000281000000			Payroll Liabilities	\$204.40	
36025	25-Nov-13	12540	Republic Services #197		\$358.46
0197-001642544			Dumpster services	\$358.46	\$0.00
101016542003102			Street Fund Operating Costs	\$171.67	
101016542004500			Street Fund - Rentals/Leases	\$7.56	
410016542403102			Storm Water - Operating Costs	\$171.67	
410016542404501			Storm Water - Equipment Rental	\$7.56	
36026	25-Nov-13	12540	Republic Services #197		\$258.10
0197-001642354			Dumpster services	\$258.10	\$0.00
001010576803103			Parks-Lundeen-Operating Costs	\$245.05	
001010576804500			Parks - Equipment Rental	\$13.05	
36027	25-Nov-13	12540	Republic Services #197		\$114.30
0197-001643100			Dumpster services	\$114.30	\$0.00
001013519903100			General Government - Operating	\$101.35	
001013519904500			General Government-Equip Renta	\$12.95	
36028	25-Nov-13	13784	Robinson Noble		\$421.04
13-1008			Geotechnical counsult	\$421.04	\$0.00
101016542004100			Street Fund - Professional Ser	\$421.04	
36029	25-Nov-13	1283	Roto-Rooter Service		\$379.01
21717275933			Clear Main Sewer pipe	\$379.01	\$0.00
001013519904800			General Government - Repair/Ma	\$379.01	
36030	25-Nov-13	13556	Seams Sew Fitting		\$26.88
10/29/13			Uniform alterations	\$26.88	\$0.00
001008521002600			Law Enforcment Clothing	\$26.88	
36031	25-Nov-13	12069	Seattle Pump		\$12.33
13-4132			Parts for Vactor truck	\$12.33	\$0.00
410016542403102			Storm Water - Operating Costs	\$12.33	
36032	25-Nov-13	12722	SHRED-it WESTERN WASHINGTON		\$55.19
9402779063			Shredding services	\$55.19	\$0.00

Detail Check Register

21-Nov-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount
001008521003104			Law Enforcement-Operating Cost	\$55.19
36033	25-Nov-13	13715	Sno Co Sherrifs Office	\$10,310.68
2013-1821			Prisoner hsg Oct 2013	\$10,310.68
				\$0.00
001008523005100			Law Enforcement - Jail	\$10,310.68
36034	25-Nov-13	13322	Snohomish County Cities	\$105.00
12/5 mtg			Legislative mtg	\$105.00
				\$0.00
001001511604300			Legislative - Travel & Mtgs	\$70.00
001003511104300			Executive - Travel & Mtgs	\$35.00
36035	25-Nov-13	1379	Snohomish County Human Service	\$1,281.50
I000338234			Q3 2014 Liquor Profits	\$1,281.50
				\$0.00
001013567005100			General Government - Alcoholis	\$1,281.50
36036	25-Nov-13	14062	Snohomish County Parks & Rec	\$140.00
I000335540			Downtown sign	\$140.00
				\$0.00
001007558804111			Planning-Economic Development	\$140.00
36037	25-Nov-13	12961	SNOHOMISH COUNTY PUD	\$1,490.18
133917199			203033030	\$182.58
				\$0.00
001008521004700			Law Enforcement - Utilities	\$182.58
140451251			202766820	\$1,307.60
				\$0.00
001008521004700			Law Enforcement - Utilities	\$1,307.60
36038	25-Nov-13	14007	Snohomish County PW (S)	\$40,848.45
i000338307			Signal repair and overlays	\$40,848.45
				\$0.00
101016542606400			Street Fund - Overlays	\$39,765.69
101016542640000			Street Fund - Traffic Control	\$1,082.76
36039	25-Nov-13	1382	Snohomish County PW (V)	\$11,059.20
I000337808			Vehicle repair	\$11,059.20
				\$0.00
001008521004800			Law Enforcement - Repair & Mai	\$5,284.96
101016542004800			Street Fund - Repair & Mainten	\$188.33
101016542640000			Street Fund - Traffic Control	\$114.38
410016542404800			Storm Water - Repairs & Maint.	\$100.44
520008521006400			Purchase Of Capital Equipment	\$5,371.09
36040	25-Nov-13	1356	SNOPAC	\$26,195.76
6325			Dispatch Services	\$26,195.76
				\$0.00
001008528005100			Law Enforcement - Snopac Dispa	\$26,195.76
36041	25-Nov-13	13415	Staples	\$12.14

Detail Check Register

21-Nov-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor		Check Amount
3213512884			Foamboard	\$6.94	\$6.94
001008521003100			Law Enforcement - Office Suppl	\$6.94	
3214365376			Correction tape	\$5.20	\$5.20
001008521003100			Law Enforcement - Office Suppl	\$5.20	
36042	25-Nov-13	1419	State Auditors Office		\$17,022.30
L100604			2011-2012 State Audit	\$17,022.30	\$17,022.30
001004514234100			Finance - Professional Service	\$17,022.30	
36043	25-Nov-13	13931	Stericycle, Inc		\$10.36
3002436930			Hazardous waste disposal	\$10.36	\$10.36
001008521004100			Law Enforcement - Professional	\$10.36	
36044	25-Nov-13	13800	Tab Products Co LLC		\$163.21
2204349			Inkjet labels	\$163.21	\$163.21
001008521003100			Law Enforcement - Office Suppl	\$163.21	
36045	25-Nov-13	13891	Tacoma Screw Products Inc		\$160.57
30448156			Hardware	\$87.18	\$87.18
101016542003102			Street Fund Operating Costs	\$61.03	
410016542403102			Storm Water - Operating Costs	\$26.15	
30449383			Sign brackets	\$73.39	\$73.39
101016542003102			Street Fund Operating Costs	\$73.39	
36046	25-Nov-13	1618	Washington State Criminal Just		\$2,905.00
20-1-12838			Training - Adams	\$2,905.00	\$2,905.00
001008521004901			Law Enforcement - Staff Develo	\$2,905.00	
36047	25-Nov-13	12761	WASHINGTON STATE PATROL		\$264.00
114003287			Background checks	\$264.00	\$264.00
633008589000006			Gun Permit - FBI Remittance	\$264.00	
Total Of Checks:					\$197,833.15

**CITY OF LAKE STEVENS
REGULAR CITY COUNCIL MEETING MINUTES**

Tuesday, November 12, 2013
Lake Stevens School District Educational Service Center (Admin. Bldg.)
12309 22nd Street N.E. Lake Stevens

CALL TO ORDER: 7:00 p.m. by Mayor Vern Little

COUNCILMEMBERS PRESENT: Todd Welch, Suzanne Quigley, Kathy Holder, Kim Daughtry, Marcus Tageant, Neal Dooley and John Spencer

COUNCILMEMBERS ABSENT:

STAFF MEMBERS PRESENT: City Administrator Jan Berg, City Attorney Cheryl Beyer, Planning Director Becky Ableman, Finance Director Barb Stevens, Public Works Director Mick Monken, Human Resource Director Steve Edin, Senior Planner Russ Wright, Interim Police Commander Craig Valvick, Principal Planner Karen Watkins, Interim Police Chief Dan Lorentzen, and City Clerk/Admin. Asst. Norma Scott

OTHERS: Katrina Sperry, Steve Lesley, Bruce Morton, Sam Low

Guest Business. Katrina Sperry, who lives near Frontier Village, reported problems with the community park on 88th as follows: drug issues, crime rate increased, graffiti, dirty needles in the park area, teenagers in the park at 2:00 a.m., forts built to hide in, and cell tower was vandalized. She requested better lighting, patrols and blackberry removal. Mayor Little commented that Seattle City Light owns the property and will work with them on the issues.

Steve Lesley, 9003 13th Street SE, noted the same problems. They need help to maintain the paths. The clothes in the donation box at the storage business are being thrown on the path. There is also a drug house on their street and one at the end of another, which are a constant source of problems.

Interim Police Chief Lorentzen encouraged them to call 911.

Councilmember Quigley requested an update on the process to do away with the drug houses.

Bruce Morton, 11222 Vernon Rd, commented he is upset with the police scandals, should identify the officers who made the mistakes and terminate them to stop these scandals. He questioned the 10% levy tax increase. He also noted because of the commercial building regulations, businesses may not be attracted to Lake Stevens.

Consent Agenda. Councilmember Tageant moved to approve the Consent Agenda (A. Approve November vouchers [Payroll Direct Deposits 907874-907936 for \$113,884.90; Payroll Checks 35910 for \$2,435.93; Electronic Funds Transfers 657-662 for \$139,083.42; Claims 35911-35972 for \$655,905.60; Void Checks 35864 for deduct of \$85.71; Tax Deposit 11/1/2013 \$44,223.40; for Total Vouchers Approved of \$955,447.54]; B. Approve Council regular meeting minutes of October 28, 2013; C. Approve Amendment #1 to the Janitorial Services agreement

with Advantage Building Services, extending the agreement for an additional year), seconded by Councilmember Welch; motion carried unanimously. (7-0-0-0)

Public Hearing in consideration of first reading of Ordinance No. 904, proposed 2014

Budget and property tax levy certification. City Clerk Scott read the public hearing procedure. Finance Director Lowe noted this is the first public hearing and reviewed the following: budget calendar, 2013 estimated revenue and expenses, 2013 capital/project requests, 2013 PW capital/project requests, 2014 budget focus, 2014 preliminary budget of all funds, General Fund Forecast, General Fund Ending Balances, General Fund 2014 Preliminary Fund Balances, General Fund Revenue Assumptions for 2014, General Fund Revenues Assumption and Actual, 2013 Property Tax Breakdown, 2014 Property Tax Levy, General Fund Revenue Assumptions and Actual, General Fund Expenditure Assumptions for 2014, 2014 Draft Budgeted staffing levels, 2014 General fund Request, General Fund 2014 Proposed Expenditures, Street Fund Preliminary Fund Balances, Street Fund Revenue and Expenditures Assumptions for 2014, Surface Water Fund 2014 Preliminary Fund Balances, Surface Water Revenue and Expenditure Assumptions for 2014, Public Works Requests 2014, Capital Project – Developer Contribution Fund 2014, Sidewalk Capital Project Fund 2013-2014, and 2014 budget next steps in the budget process.

Public comments. Sam Low, 8409 4th Place SE, commented (attached document was provided to Council) the City is adding two officers and is a net of one with the loss of the Police Services Officer (PSO). Mr. Low reviewed the budget history of how many officers were authorized to receive weapons in the past. The proposed 2014 budget number is 26 officers which is the same for the last three years. He doesn't know how the City is adding officers or even the net one officer without the PSO. He is in favor of keeping the PSO position.

MOTION: Councilmember Welch moved to close the public comment portion of the hearing, seconded by Councilmember Spencer; motion carried unanimously. (7-0-0-0)

Councilmember Spencer asked if there is an engineering estimate on the cost to decommission the aerator. Public Works Director Monken responded about \$160,000 to decommission not including the compressor building.

Councilmember Welch noted he has not seen the amendment on the budget to retain the PSO. Mayor Little responded an amendment can be made this evening or at the next hearing.

MOTION: Councilmember Welch moved to propose amendment that staffing level for Police Department that the PSO position is kept and not gotten rid of including bringing on two new officers, seconded by Councilmember Tageant.

Councilmember Quigley asked Council to vote against this amendment; we need a responsible budget.

Councilmember Spencer commented the code enforcement position is almost always in the Planning Department and suggested adding a third officer and keeping the code enforcement in planning.

Councilmember Holder commented when economic development occurs then hiring more officers is the goal.

Motion failed with Councilmembers Welch and Tageant voting yes. (2-5-0-0)

MOTION: Councilmember Spencer moved to plan for an additional officer in the Police Department beginning in the middle (June) of 2014, seconded by Councilmember Tageant. After a brief discussion, the motion maker and second concurred on withdrawing their motion. This will be brought back to the next public hearing with details on the effect of that position on the current and future budgets. Mayor Little suggested a needs list be provided. For example, the list should include street improvements, right-of-way purchase, and other department needs.

MOTION: Councilmember Dooley moved to close the public hearing, seconded by Councilmember Holder; motion carried unanimously. (7-0-0-0)

MOTION: Councilmember Dooley moved for first reading of Ordinance 904, proposed 2014 budget and property tax levy certification, seconded by Councilmember Daughtry; motion carried unanimously. (7-0-0-0)

First and final reading of Ordinance No. 906, setting property tax levy and collection for 2014. Finance Director Stevens noted this ordinance sets the property tax levy and authorizes the county to collect property taxes on behalf of the City. Because the City has banked capacity, an unused portion of the highest lawful levy amount from prior years, the City's 2014 levy includes an additional \$175,000 of the lost property tax revenues from prior years. The ordinance includes an estimated 10% increase over the 2013 regular levy due to the amount of banked capacity used. The levy rate of \$1.60 per \$1,000 of assessed value is not likely to change.

MOTION: Councilmember Spencer moved to approve first and final reading of Ordinance No. 906, setting property tax levy and collection for 2014 and authorize the Mayor to sign the levy certification, seconded by Councilmember Holder; motion carried unanimously. (7-0-0-0)

Adopt Resolution No. 2013-14, Comprehensive Emergency Management Plan (CEMP). Interim Police Chief Lorentzen reported this resolution repeals a 2002 CEMP resolution and adopts a plan that applies to emergency management activities coordinated by Snohomish County Department of Emergency Management and the City.

MOTION: Councilmember Holder moved to adopt Resolution No. 2013-14, Comprehensive Emergency Management Plan, seconded by Councilmember Spencer; motion carried unanimously. (7-0-0-0)

Approve 2014 pavement overlay commitment to the 20th Street SE sewer interceptor project. Public Works Director Monken reported due to future economic development for the 20th Street SE corridor, this overlay is necessary from 83rd at Cavelero entrance to 91st and is the City's contribution to the sewer interceptor project. The Sewer District is committed to having the interceptor completed by June or July of next year. \$250,000 is already in the City's budget to cover the overlay. The District will contribute if the cost is over \$250,000. The current District interceptor project cost is estimated to be between \$1.1 to 1.3 million.

MOTION: Councilmember Spencer moved to authorize a 2014 budget commitment in the amount not to exceed \$250,000 to perform the roadway overlay of 20th Street between SE 83rd

to SE 91st in conjunction with the Lake Stevens Sewer Districts Southwest interceptor project, seconded by Councilmember Daughtry; motion carried unanimously. (7-0-0-0)

DISCUSSION: Briefing on the Comprehensive Plan docket and housekeeping ordinances.

Principal Planner Watkins reviewed the City's one land use map correction amendment and seven text amendments. Senior Planner Wright noted the Park Board was central in updating the draft Park Plan element. The Park Board moved their recommendation to the Planning Commission to be added to their recommendation to Council.

Councilmember Holder noted on Page 158 of the Council agenda packet the last sentence should read "Mini-parks may be public or private." (The word "private" was added)

Principal Planner Watkins reported the code housekeeping amendments are to correct code errors and revisions found during code implementation and update code to be consistent with the GMA Comprehensive Plan.

DISCUSSION: Recreational marijuana regulations briefing. Principal Planner Watkins reported one of Council's questions was where do taxes for processing and production go. She noted the lengthy answer is provided in the I502 excerpts provided in the staff report. Ms. Watkins explained the tier model. Colorado regulations are a month ahead of Lake Stevens' schedule. Colorado included medical and recreational marijuana regulations. The public process was moved into January and February of next year. On December 6 Lake Stevens will be sharing information with the cities of Marysville, Arlington and Granite Falls. Ms. Watkins reviewed the ordinance comparison table of other cities.

Senior Planner Wright commented by State law protected sensitive areas will be separated by 1,000 foot direct line of travel from one property to another. The State plans to amend that definition to 1,000 foot straight line from property line to property line which would be consistent with the City's mapping. Mr. Wright reviewed the mapped zones, which may be appropriate for a marijuana facility. Ms. Watkins reviewed the changes to the City's land use code.

Planning Director Ableman reported Ms. Watkins has accepted a position with the County of San Bernardino.

DISCUSSION: Ordinance No. 905, 2013 Budget Amendment. Finance Director Lowe noted this is amendment four to the 2013 budget and reviewed the amendments. This ordinance will be on the next meetings consent agenda.

Executive Session. Mayor Little called for an executive session at 9:31 p.m. for 15 minutes on two pending litigations with no action to follow. After a brief recess, the executive session began at 9:35 p.m. and ended at 9:50 p.m.

Adjourn. 9:52 p.m.

Vern Little, Mayor

Norma J. Scott, City Clerk/Admin. Asst.

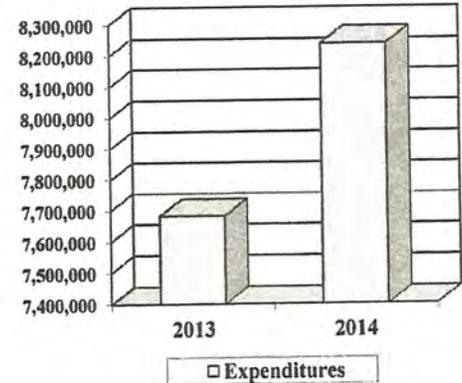


General Fund Expenditure Assumptions for 2014

- Estimated to Increase 7% over 2013
- Continue budgeting for Economic Development – \$300,000
- Transfer of \$500,000 to General Reserve Fund
 Future Economic Development & Infrastructure Costs

ILWA Agreement for Shorepark

- No Human Services Donations in 2014 ✓
- Salaries & Benefits
 - Cost of Living Increase – 2%
 - Medical/Retirement Increase – 2%



+103, K

Reorganization of Staff Positions

Law Enforcement

- Eliminate 1 Sergeant Position
- Add 1 Office of Professional Standards Lieutenant Position (LEMAP Recommendation)
- Eliminate the Police Support Officer (PSO) Position
 - Building Dept would take over code enforcement
 - Officers would take over animal control enforcement
- Add 2 Officer Positions

2 (added) to \$20,000

Planning/Building

- Add 1 Building Inspector Position
 - Allow Building Official to do more Plan Review
 - Code Enforcement
 - Alleviate need for on-call contract for building inspection services

+38, K

SUBMITTED AT MEETING OF
 11/12/2013
 FOR PUBLIC RECORD

Sam how

Line Item Description	2012 Year End	Amended Budget	Estimated Ending	Executive/ Sub Committee Budget
Finance - Financial Software Maint	2,100	2,100	-	-
Finance - New Financial Software Service		120,000	102,733	9,553
Finance - Miscellaneous	105	300	300	300
Finance - Staff Development	175	750	750	1,225
Finance - Banking Services	157	2,000	800	1,500
TOTAL FINANCE	100,724	254,405	234,566	196,402
Legal - Professional Service	53,449	54,400	70,000	70,000
TOTAL LEGAL	53,449	54,400	70,000	70,000
Planning - Salaries	321,340	336,510	336,243	316,955
Planning - Benefits	121,374	124,317	127,242	128,156
Planning - Office Supplies	2,622	2,325	577	2,300
Planning - Operating Expenses	826	1,000	1,687	1,500
Planning - Tools & Equipment	900	900	900	1,200
Planning - Professional Services	426	4,000	3,923	4,000
Planning - Prof. Serv. UGA/RUTA		-	-	-
Planning - Engineering - Biologist		-	-	-
Planning - Prof. Serv. Hear. Exam.	1,600	2,500	2,500	7,500
Planning - Critical Areas - Developer Reimb	8,455	7,000	7,000	7,000
Planning - Prof Serv Eagle Ridge Graphics		-	-	-
Planning - GIS mapping		-	-	-
Planning - Communication	2,958	3,246	3,598	2,881
Planning - Travel	665	1,200	1,821	1,500
Planning - Advertising	8,205	8,000	6,950	8,000
Planning - Repair & Maint.	1,222	1,240	588	1,400
Planning - Miscellaneous	36	150	86	150
Planning - Printing and Binding	590	1,000	500	500
Planning - Capital		-	-	-
Planning - Permit Tracking System Upgrade	4,344	-	-	-
Planning - Permit Tracking Maint	5,430	5,430	5,430	5,430
Planning - Permit Tracking Customer Module		-	-	-
Planning - Staff Development	928	1,200	1,200	2,350
Planning -Shoreline Master Program	481	-	-	-
Planning - Economic Development	85,271	300,000	300,000	300,000
Planning Commission - Miscellaneous	24	100	100	100
TOTAL PLANNING	567,697	800,118	800,345	790,922
Building Department - Salaries	134,449	136,749	136,003	133,198
Building Department - Benefits	55,293	57,993	56,721	59,101
<i>BUILDING INSPECTOR</i>				88,096
Building Department - Office Supplies	470	1,500	1,890	2,200
Building Department - Operating Supply	1,429	400	750	550
Building Department - Fuel	1,821	1,800	1,127	1,200
Building Department - Professional	1,990	3,000	4,670	4,500
Building Department - Communications	442	768	186	274
Building Department - Travel		470	264	450
Building Department - Repair & Maintenance				500
Building Department - Miscellaneous	125	280	280	500
Building Department - Staff Development		700	700	1,200
Building - Capital Outlay		-	-	-
TOTAL BUILDING	196,019	203,660	202,592	291,769
Law Enforcement - Salaries	2,146,754	2,315,634	2,132,518	2,185,077
Law Enforcement - Holiday Pay Out	58,237	85,696	85,696	85,000
Law Enforcement - Extra Duty Salaries	10,506	10,000	10,000	10,000
<i>PSO POSITON ELIMINATED -ADD OFFICER (net)</i>				16,165
<i>SERGEANT POSITION ELIMINATE- ADD LIEUTENANT (net)</i>				2,580
<i>ADD NEW POLICE OFFICER</i>				89,492
<i>NEW POLICE OFFICER - Equipment/Academy</i>				11,000
<i>CADETS</i>				20,700
Law Enforcement - Overtime	223,528	200,000	200,000	200,000

Snopac Dispatch

This is the city's cost of participating in a regional 911-dispatch center and records management operation. This is slightly higher due to rising costs and increase in calls of service.

Capital Outlay

This provides for new or replacement equipment. A detail of expenses can be found in the Capital Expenditure section in the budget document appendix.

Drug Investigation

This fund is used for buying specialized supplies, equipment and training for narcotics investigations.

Staff Development

This is used to pay tuition and training fees in order to keep the staff current with professional standards and practices.

Evidence Alarm

This provides for monitoring of an alarm system to the evidence alarm.

POSITION LIST FTE:

Position	2009	2010	2011	2012
Police Chief	1	1	1	1
Police Commander	1	1	1	1
Receptionist/ Office Asst.	0.32	0.32	0.16	0.16
Accountant	0.1	0.1	0.1	0.1
Sergeants	5	5	5	5
Detectives	2	2	2	2
Traffic Officers	2	1	1	0
School Resource Officer	1	1	2	2
Police Officers	10	10	16	16
Code Enforcement Officer	1	1	1	1
Cadets	0	1	0	0
Police Reserves	1	1	0	0
Admin. Coordinator	1	1	1	1
Records Clerk	3	3	3	3
Leave Buy Out/OT	0	1	1	1
TOTAL	28.42	29.42	34.26	33.26

2013 BUDGETED POSITION LIST & SALARY RANGES										
# of Positions	Department	Job Classification	Range	A	B	C	D	E	F	G
1	Administration	City Administrator	CCA	0	0	0	0	0	0	10,521
1	Building	Building Official	36.30	5,547	5,751	5,963	6,185	6,414	6,651	6,897
2	City Clerk	Receptionist/Cashier	3.00	2,962	3,085	3,211	3,341	3,480	3,621	3,782
1	City Clerk	City Clerk	16.00	4,861	5,054	5,257	5,468	5,687	5,913	6,169
1	Executive	Mayor	M	0	0	0	0	0	0	1,200
1	Finance	Accountant	15.50	4,774	4,942	5,115	5,295	5,483	5,675	5,878
1	Finance	Finance Director	42.50	7,246	7,499	7,763	8,033	8,313	8,607	8,908
1	Human Resources	Human Resources Director	37.00	5,612	5,851	6,101	6,359	6,630	6,912	7,204
1	Information Technology	IT Specialist	15.50	4,774	4,942	5,115	5,295	5,483	5,675	5,878
1	Information Technology	IT Manager	37.50	5,905	6,153	6,410	6,676	6,953	7,240	7,548
1	Law Enforcement	Police Admin. Supervisor	27.00	4,841	5,015	5,191	5,375	5,567	5,765	5,964
1	Law Enforcement	Police Commander	38.50	6,844	7,088	7,345	7,608	7,883	8,165	8,469
1	Law Enforcement	Police Support Officer	CE	3,724	3,854	3,988	4,129	4,273	4,424	4,590
1	Law Enforcement	Police Chief	CPC	0	0	0	0	0	0	10,328
18	Law Enforcement	Police Officer	PO	4,714	4,894	5,080	5,272	5,473	5,681	5,903
5	Law Enforcement	Police Sergeant	PS	6,228	6,389	6,556	6,726	6,901	7,080	7,264
3	Law Enforcement	Records Clerk	RC	3,432	3,570	3,712	3,861	4,015	4,176	4,347
7	Legislative	Council	C	0	0	0	0	0	0	500
1	Planning	Permit Specialist	9.50	3,811	3,954	4,107	4,265	4,430	4,600	4,774
1	Planning	PW/Planning Coordinator	12.00	3,736	3,855	3,979	4,106	4,237	4,373	4,512
1	Planning	Associate Planner	16.50	5,371	5,560	5,755	5,958	6,168	6,384	6,609
1	Planning	Senior Planner	36.25	5,609	5,794	5,986	6,183	6,387	6,598	6,827
1	Planning	Principle Planner	36.50	5,736	5,926	6,121	6,324	6,532	6,748	6,970
1	Planning	Planning Director	41.50	7,306	7,533	7,773	8,023	8,280	8,545	8,803
2	Public Works	Engineering Technician	15.50	4,774	4,942	5,115	5,295	5,483	5,675	5,878
1	Public Works	Public Works Superintendent	37.25	6,131	6,338	6,552	6,772	7,000	7,237	7,480
1	Public Works	Public Works Director	43.00	8,030	8,312	8,605	8,907	9,221	9,546	9,881
2	Public Works	Crew Leader	CL	4,721	4,893	5,069	5,251	5,440	5,635	5,831
1	Public Works	Crew Worker I	CWI	3,271	3,398	3,531	3,669	3,812	3,960	4,106
6	Public Works	Crew Worker II	CWII	4,041	4,181	4,328	4,481	4,636	4,799	4,971

**City of Lake Stevens
 Adopted Budget 2013**

Position List & Salary Ranges

# of Positions	Department	Job Classification	Range	A	B	C	D	E	F	G
7	Legislative	Council	C	0	0	0	0	0	0	500
1	Executive	Mayor	M	0	0	0	0	0	0	1,200
1	Administration	City Administrator	CCA	0	0	0	0	0	0	10,521
1	Human Resources	Human Resources Director	37.00	5,612	5,851	6,101	6,359	6,630	6,912	7,204
1	City Clerk	City Clerk	16.00	4,861	5,054	5,257	5,468	5,687	5,913	6,169
2	City Clerk	Receptionist/Cashier	3.00	2,962	3,085	3,211	3,341	3,480	3,621	3,782
1	Information Technology	IT Manager	37.50	5,905	6,153	6,410	6,676	6,953	7,240	7,548
1	Information Technology	IT Specialist	15.50	4,774	4,942	5,115	5,295	5,483	5,675	5,878
1	Finance	Finance Director	42.50	7,246	7,499	7,763	8,033	8,313	8,607	8,908
1	Finance	Accountant	15.50	4,774	4,942	5,115	5,295	5,483	5,675	5,878
1	Planning & Community Development	Planning Director	41.50	7,306	7,533	7,773	8,023	8,280	8,545	8,803
1	Planning & Community Development	Principle Planner	36.50	5,736	5,926	6,121	6,324	6,532	6,748	6,970
1	Planning & Community Development	Senior Planner	36.25	5,609	5,794	5,986	6,183	6,387	6,598	6,827
1	Planning & Community Development	Building Official	36.30	5,547	5,751	5,963	6,185	6,414	6,651	6,897
1	Planning & Community Development	Associate Planner	16.50	5,371	5,560	5,755	5,958	6,168	6,384	6,609
1	Planning & Community Development	Permit Specialist	9.50	3,811	3,954	4,107	4,265	4,430	4,600	4,774
1	Law Enforcement	Police Chief	CPC	0	0	0	0	0	0	10,328
1	Law Enforcement	Police Commander	38.50	6,844	7,088	7,345	7,608	7,883	8,165	8,469
5	Law Enforcement	Police Sergeant	PS	6,228	6,389	6,556	6,726	6,901	7,080	7,264
18	Law Enforcement	Police Officer	PO	4,714	4,894	5,080	5,272	5,473	5,681	5,903
1	Law Enforcement	Police Support Officer	CE	3,724	3,854	3,988	4,129	4,273	4,424	4,590
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1	Public Works	Public Works Superintendent	37.25	6,131	6,338	6,552	6,772	7,000	7,237	7,480
2	Public Works	Crew Leader	CL	4,721	4,893	5,069	5,251	5,440	5,635	5,831
6	Public Works	Crew Worker II	CWII	4,041	4,181	4,328	4,481	4,636	4,799	4,971
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1	Public Works	PW/Planning Coordinator	12.00	3,736	3,855	3,979	4,106	4,237	4,373	4,512
2	Public Works	Engineering Technician	15.50	4,774	4,942	5,115	5,295	5,483	5,675	5,878



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LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: November 25, 2013

Subject: 2013 Budget Amendment #4

Contact Person/Department: Barb Stevens/ Finance **Budget Impact:** Yes

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:

Approve Ordinance No. 905 Amending Ordinance No. 883

SUMMARY/BACKGROUND:

Throughout the year the City Council authorizes various purchase requests and agreements. At the time of authorization, the budget impact is presented to the Council as part of the information required in order for the Council to make an informed decision. The budget amendment follows to adjust the specific line items that will be affected by purchase or contract award.

The only changes made since presented to Council on November 12th, 2013 are highlighted below. The changes were corrections of errors in the dollar amounts, but no new amendments were made.

Detailed explanations of the changes requested are described below:

General Fund - 001

The increase in expenditures of \$18,200 is due to the costs related to the Police Chief recruiting process. This includes approximately \$5,000 for the WASPC recruitment agreement, \$7,500 for travel expenses for candidates, and \$5,700 for background services. The ending fund balance reflects these changes.

Street Fund - 101

The increased expenditures are related to two projects; the Grade Road Embankment Stability Analysis and Preliminary Design in the amount of \$18,900, and the 123rd Ave NE/Outfall Bridge Preliminary Geotechnical Study in the amount of \$7,500, both brought in front on Council on August 12, 2013 by Director Monken. The ending fund balance reflects these changes.

Sidewalk Capital Project Fund - 309

The increased expenditures in the amount of \$32,054 are due to the increased bid amounts for the partially TIB grant funded 20th Street NE Sidewalk Connectivity Project. This contract was approved by Council August 12, 2013. The ending fund balance reflects these changes.

Storm/Surface Water Fund - 410

The decrease in revenues in the amount of \$17,114 is due to the transfer of funds from the Aerator Equipment Replacement Fund for use against the cost of the Alum Treatment. The amount allowed to be transferred for this use was limited by the ILA between Snohomish County and the City to “funds over \$101,000” in that fund, which left approximately \$32,886 to be transferred. The difference will be paid from the Storm/Surface Water Fund ending fund balance and proportionately reimbursed by Snohomish County. The ending fund balance reflects these changes.

Aerator Replacement Fund - 540

The decrease in expenditures correlates with the decrease in revenues in the Storm/Surface Water Fund as outlined above. The ending fund balance reflects these changes.

APPLICABLE CITY POLICIES:

In accordance with the Financial Management Policies, Budget Themes and Policies, and the Revised Code of Washington, changes in the adopted budget must be brought before the City Council.

BUDGET IMPACT:

The budget ordinance will amend the beginning and ending balances, and revenues and expenditures in the funds set forth in the ordinance.

ATTACHMENTS:

- ▶ Exhibit A: Ordinance No. 905

**CITY OF LAKE STEVENS
 LAKE STEVENS, WASHINGTON
 ORDINANCE NO. 905**

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, AMENDING THE 2013 BUDGET AS SET FORTH IN ORDINANCE NO. 883 CONCERNING FUND BALANCES AND EXPENDITURES FOR VARIOUS FUND BALANCES FOR THE YEAR 2013.

WHEREAS, the City of Lake Stevens adopted the 2013 budget pursuant to Ordinance No. 883; and

WHEREAS, the City of Lake Stevens will incur expenditures in categories and amounts other than anticipated in the adopted 2013 budget;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE STEVENS DO ORDAIN AS FOLLOWS:

SECTION 1. The 2013 budget, as adopted in Ordinance No. 883, is hereby amended as follows:

<i>Fund</i>	<i>Description</i>	<i>Current Budget</i>	<i>Amended Budget</i>	<i>Amount of Inc/(Dec)</i>	<i>ExpRev</i>
001 - General	Expenditures	\$8,010,154	\$8,028,354	\$18,200	Exp.
001 - General	Ending Fund Balance	\$4,559,965	\$4,541,765	(\$18,200)	EndBal.
101 - Street	Expenditures	\$1,849,505	\$1,875,005	\$26,400	Exp.
101 - Street	Ending Fund Balance	\$2,564,712	\$2,538,312	(\$26,400)	EndBal.
309 - Sidewalk Cap. Proj.	Expenditures	\$273,000	\$305,054	\$32,054	Exp.
309 - Sidewalk Cap. Proj.	Ending Fund Balance	\$525,263	\$493,209	(\$32,054)	EndBal.
410 - Storm/Surface Water	Revenues	\$1,488,984	\$1,471,870	(\$17,114)	Rev.
410 - Storm/Surface Water	Ending Fund Balance	\$1,064,723	\$1,047,609	(\$17,114)	EndBal.
540 - Aerator Replacement	Expenditures	\$52,000	\$34,886	(\$17,114)	Exp.
540 - Aerator Replacement	Ending Fund Balance	\$83,886	\$101,000	\$17,114	EndBal.

SECTION 2. Except as set forth above, all other provisions of Ordinance 883 shall remain in full force, unchanged.

SECTION 3. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in force five (5) days after the date of publication.

PASSED by the City Council of the City of Lake Stevens this 25th day of November, 2013.

 Vern Little, Mayor

ATTEST/AUTHENTICATION:

 Norma J. Scott, City Clerk/Admin Asst

APPROVED AS TO FORM:

 Grant Weed, City Attorney

First and Final Reading:
 Published:
 Effective:



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LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: November 25, 2013

Subject: Public Hearing - 2014 Budget Ordinance

Contact Person/Department: Barb Stevens/Finance Director **Budget Impact:** Yes

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:

Approve Second and Final Reading of 2014 Budget Ordinance No. 904.

SUMMARY/BACKGROUND:

The 2014 budget proposal is based on a six year forecast of revenues and expenditures. This conservative approach is applied to build and maintain a reserve balance to sustain the City during economic downturns and prepare for future economic development.

The budget subcommittee and City Council have been reviewing current and forecasted revenues and expenditures including property tax, City staffing plans, and related costs which are incorporated into the proposed 2014 budget ordinance.

Revisions made to Ordinance 904 since previously presented to Council on November 12, 2013 include revising beginning fund balances for the General Fund (001), Street Fund (101), and Storm/Surface Water Fund (410) due to updated estimates for 2013 revenues and expenditures. Additionally adjustments were made to the following budgeted revenues and expenditures line items in the General Fund (001), Street Fund (101), and Storm/Surface Water Fund:

- General Fund (001)
 - Revenues
 - Utility Tax – Electric -- \$70,073 reduction estimated based on recent 2013 receipts
 - Utility Tax – Gas -- \$99,515 reduction estimated based on recent 2013 receipts
 - Court Remittances -- \$27,387 reduction estimated based on recent 2013 receipts
 - Expenditures: Advisory Services – Lobbying -- \$53,250 increase based on 2014 contract with consultant
- Street Fund (101)
 - Revenues: Utility Tax – Gas -- \$99,515 reduction estimated based on recent 2013 receipts
- Storm/Surface Water Fund (410)
 - Revenues & Expenditures: DOE grant revenues and expenditures increase (\$28,000) based on approved grant agreements

The ending balances in these funds have subsequently changed as well.

APPLICABLE CITY POLICIES:

Per RCW 84.55.120 the legislative body will hold public hearings on the proposed budget for the coming year.

BUDGET IMPACT:

The budget ordinance sets the revenue and expenditure levels for the coming year's budget.

ATTACHMENTS:

- ▶ Exhibit A: Ordinance No. 904
- ▶ Exhibit B: 2014 Draft Position & Salary Range List

CITY OF LAKE STEVENS
LAKE STEVENS, WASHINGTON

ORDINANCE NO. 904

AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY OF LAKE STEVENS,
WASHINGTON, FOR THE CALENDAR YEAR ENDING DECEMBER 31, 2014

WHEREAS, the Mayor of the City of Lake Stevens, Washington completed and placed on file with the City Clerk a proposed budget and estimate of the amount of the moneys required to meet the public expenses including salaries and benefits of City employees, bond retirement and interest, reserve funds and expenses of government of said City for the fiscal year ending December 31, 2014, and a notice was published that the Council of said City would meet for the purpose of making a budget for said fiscal year and giving taxpayers within the limits of said City an opportunity to be heard upon said budget, and

WHEREAS, the said City Council did meet at said time and place and did then consider the matter of said proposed budget; and

WHEREAS, notices were published in the official newspaper of the City, that the Council of said City would meet on the 12th day of November and the 25th day of November, 2013, at the hour of 7:00 P.M., at the City Council Chambers in the Lake Stevens School District Educational Service Center of said City for the purpose of receiving public testimony in a public hearing as to the matter of said proposed budget; and

WHEREAS, the said City Council did meet at said dates, times, and place and did receive public testimony during a public hearing as to the matter of said proposed budget; and

WHEREAS, the said proposed budget does not exceed the lawful limit of taxation allowed by law to be levied on the property within the City of Lake Stevens for the purposes set forth in said budget, and the estimated expenditures set forth in said budget being all necessary to carry on the government of said City for said year and being sufficient to meet the various needs of said City during said period.

NOW, THEREFORE, the City Council of the City of Lake Stevens do ordain as follows:

Section 1. The budget for the City of Lake Stevens, Washington, for the year 2014 is hereby adopted in its final form and content as set forth in the document entitled City of Lake Stevens 2014 Annual Budget, 1 copy of which is on file in the Office of the Clerk.

Section 2. Totals for all such funds combined, for the year 2014 are set forth in summary form below, and are hereby appropriated for expenditure during the year 2014 as set forth below:

Fund #	Fund Name	Estimated Beg. Bal.	Resources	Expenditures	End. Bal.
001	General	\$ 5,308,720	\$ 8,191,627	\$ 8,300,517	\$ 5,199,830
002	Contingency Reserve	\$ 2,100,125	\$ 503,100	\$ 8,050	\$ 2,595,175
101	Street	\$ 2,619,102	\$ 1,998,291	\$ 1,669,919	\$ 2,947,474
103	Street Reserve	\$ 1,524	\$ 3	\$ -	\$ 1,527
111	Drug Seizure & Forfeiture	\$ 25,038	\$ 2,205	\$ 200	\$ 27,043
112	Municipal Arts Fund	\$ 1,322	\$ 2	\$ -	\$ 1,324
205	PWTF Loan 2002	\$ -	\$ 89,548	\$ 89,548	\$ -
206	Police Station LTGO 2004	\$ -	\$ 105,769	\$ 105,769	\$ -
207	PWTF 2006	\$ -	\$ 436,160	\$ 436,160	\$ -
208	PWTF 2005	\$ -	\$ 65,264	\$ 65,264	\$ -
209	PWTF 2008	\$ -	\$ 594,669	\$ 594,669	\$ -
210	2008 Bonds	\$ -	\$ 359,299	\$ 359,299	\$ -
211	PWTF 2010	\$ -	\$ 958	\$ 958	\$ -
212	2010 LTGO Bonds	\$ -	\$ 95,613	\$ 95,613	\$ -
301	Cap. Proj.-Dev. Contrib.	\$ 2,777,203	\$ 231,900	\$ -	\$ 3,009,103
303	Cap. Imp.-REET	\$ 848,161	\$ 301,000	\$ 374,668	\$ 774,493
304	Cap. Improvements	\$ 1,577,919	\$ 301,000	\$ 156,776	\$ 1,722,143
305	Downtown Redevelopment	\$ 1,638	\$ 2	\$ -	\$ 1,640
309	Sidewalk Capital Project	\$ 493,117	\$ 800	\$ -	\$ 493,917
401	Sewer	\$ 292,421	\$ 1,430,694	\$ 1,432,564	\$ 290,551
406	Sewer Reserve	\$ 167,589	\$ 150	\$ 167,739	\$ -
410	Storm and Surface Water	\$ 1,164,829	\$ 1,434,794	\$ 1,302,384	\$ 1,297,239
501	Unemployment	\$ 101,621	\$ 22,635	\$ 24,000	\$ 100,256
510	Equipment Fund	\$ 108,194	\$ 82,317	\$ 75,398	\$ 115,113
520	Equipment Fund-Police	\$ 209,686	\$ 167,400	\$ 121,700	\$ 255,386
530	Equipment Fund-PW	\$ 244,725	\$ 52,289	\$ 106,800	\$ 190,214
540	Aerator Equipment Repl.	\$ 101,124	\$ 8,175	\$ -	\$ 109,299
621	Refundable Deposits	\$ 1,973	\$ 1,000	\$ 2,973	\$ -
<u>633</u>	<u>Treasurer's Trust</u>	<u>\$ 11,779</u>	<u>\$ 300,000</u>	<u>\$ 300,000</u>	<u>\$ 11,779</u>
	Total	\$18,157,810	\$16,776,664	\$15,790,968	\$19,143,506

Section 3. The City Clerk is directed to transmit a certified copy of the budget hereby adopted to the Division of Municipal Corporations in the Office of the State Auditor and to the Association of Washington Cities.

Section 4. A summary of this ordinance consisting of the title shall be published in the official City newspaper. This ordinance shall take effect and be in full force five (5) days after publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LAKE STEVENS this ____ day of _____, 2013.

 Vern Little, Mayor

ATTEST:

Norma J. Scott, City Clerk/Admin. Assist.

APPROVED AS TO FORM:

Grant Weed, City Attorney

First Reading: November 12, 2012
Second Reading: November 25, 2013
Published:
Effective:



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LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: November 25, 2013

Subject: 2013 Comprehensive Plan Amendments (2013 Docket) and Code Housekeeping Amendments (LS2013-0008) – Public Hearing

Contact Person/Department: Russ Wright, Planning **Budget Impact:** None

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: The recommendation is for the City Council to hold a 2013 Docket Public Hearing and first reading of Ordinance No. 902 for the proposed 2013 Comprehensive Plan Amendments and Ordinance No. 903 for Code Housekeeping Amendments. Council would continue the hearing to December 9, 2013 for a second and final reading.

SUMMARY: Attached are Ordinance No. 902 including one City-proposed map correction and seven City-proposed text amendments (*Attachment A*) and Ordinance No. 903 including Code Housekeeping Amendments (*Attachment B*) ratified by the City Council on July 8, 2013. Most of the Comprehensive Plan amendments are normal updates related to the Docket, related to the recently adopted subarea plans or other code amendments, and general updates due to changes in state regulations or requirements. The Code Housekeeping Amendments correct minor code errors and revisions found during code implementation and update code to be consistent with the GMA Comprehensive Plan. The Park Board recommends approving the Park Plan (*Attachment C*). The Planning Commission recommends approving all Comprehensive Plan amendments and Code Housekeeping amendments (*Attachment D*).

BACKGROUND: Under the Growth Management Act, the City is allowed to amend the Comprehensive Plan and Future Land Use Map only once per year with a few exceptions. This process is called the “Docket.” The Comprehensive Plan has a specified docket process to follow (pages 1-20 to 1-27). This year’s docket has one map correction proposed by the City and seven text amendments proposed by the City. In addition, Code Housekeeping Amendments are proposed by the City. No private amendments were proposed.

The Planning Commission held a public hearing for recommendation to ratify the 2013 Docket on June 19, 2013. The 2013 Docket was ratified by the City Council on July 8, 2013. The Planning Commission held a public hearing for recommendation for final review and approval of the 2013 Docket including the Comprehensive Plan Amendments and the Code Housekeeping Amendments on November 6, 2013. The City Council was briefed on the proposed Comprehensive Plan Amendments based on the analysis forms and the Code Housekeeping Amendments on November 12, 2013.

The proposed Comprehensive Plan amendments were sent to the Washington Department of Commerce on October 1, 2013 for the required 60-day review by state agencies with a response letter received October 3, 2013 (*Appendix E*). Addendum No. 6 to the Integrated 2005 Comprehensive Plan and Environmental Impact Statement was issued on November 8, 2013. No comments were received.

RM-2 and RT-2 were placeholders to be used if the Downtown Framework Plan was adopted before
FINAL CC PH 2013 Docket Staff Report 11-25-13

finalizing the Docket; since this was not completed, these two items are not included in the final docket. In addition RT-8 was an open item to allow the City Council to add any additional items to the Docket. During review of the Park Plan, it was determined that park projects need to be added to Chapter 8 Capital Facilities Element, Table 8-1 Capital Improvements, 2012-2032.

The items on the ratified docket have been analyzed against the criteria to grant or deny an amendment on the analysis forms discussed at the November 12 briefing. All proposals meet all requirements for granting the proposed amendments.

DISCUSSION: The 2013 Docket includes both Comprehensive Plan Amendments and Code Housekeeping Amendments. Separate ordinances were prepared to meet the required decision criteria for each set of amendments. Ordinance No. 902 (see **Appendix A**) includes the Comprehensive Plan Land Use Map correction and text amendments. Ordinance No. 903 (see **Appendix B**) includes the Code Housekeeping amendments including a Zoning Map correction and code amendments.

The Comprehensive Plan establishes six criteria listed on pages 1- 26 to 1-27 to grant or deny a Plan amendment. The items on the ratified docket have been analyzed against the criteria to grant or deny an amendment. All proposals meet all requirements for granting the proposed amendments.

For both City and privately-initiated amendments, the City shall take into consideration, but is not limited to, the following factors when considering approval of a proposed amendment to the Comprehensive Plan:

- 1. The effect upon the physical, natural, economic, and/or social environments.*
- 2. The compatibility with and impact on adjacent land uses and surrounding neighborhoods including whether the amendment would create pressure to change the land use designation of other properties in the vicinity.*
- 3. The adequacy of and impact on public facilities and services, including utilities, roads, public transportation, parks, recreation, and schools.*
- 4. The quantity and location of land planned for the proposed land use type and density.*
- 5. The effect, if any, upon other aspects of the Comprehensive Plan.*

The City may amend the Comprehensive Plan only if it finds the amendment meets all of the following:

- 1. The amendment must be consistent with the Growth Management Act and other applicable State laws;*
- 2. The amendment must be consistent with the applicable County-wide Planning Policies;*
- 3. The amendment must not be in conflict with the Community Vision or other goals, policies, and provisions of the Comprehensive Plan;*
- 4. The amendment can be accommodated by all applicable public services and facilities, including transportation;*
- 5. The amendment will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses, or residents;*
- 6. The amendment will result in long-term benefits to the community as a whole, and is in the best interest of the community.*

The Code Housekeeping Amendments must meet the required decision criteria for a code amendment (LSMC 14.16C.075(f)):

Decision Criteria. In approving code amendments to this title, the City Council shall make the following findings:

- (1) *The amendment is consistent with the adopted Lake Stevens Comprehensive Plan;*
- (2) *The amendment is in compliance with the Growth Management Act; and*
- (3) *The amendment serves to advance the public health, safety and welfare.*

The proposed Code Housekeeping amendments meet the decision criteria above.

APPLICABLE CITY POLICIES: Chapter 14.16A LSMC, LSMC 14.16C.040, and Chapter 1 of the Comprehensive Plan establish procedures for amendments to the City's Comprehensive Plan. LSMC 14.16C.075 establishes procedures for amendments to the Land Use Code.

BUDGET IMPACT: No budget impact.

ATTACHMENTS:

- A. Ordinance No. 902 (Attorney Approved as-to-form)
- B. Ordinance No. 903 (Attorney Approved as-to-form)
- C. Park Board Recommendation Letter on Park Plan dated October 30, 2013
- D. Planning Commission Recommendation Letter dated November 6, 2013
- E. Letter from Washington State Department of Commerce dated October 3

**CITY OF LAKE STEVENS
Lake Stevens, Washington**

ORDINANCE NO. 902

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON AMENDING THE COMPREHENSIVE PLAN, ORDINANCES NO. 726 AND 739, AS AMENDED, AND TITLE 14 LSMC, BY APPROVING THE 2013 DOCKET: ONE CITY-INITIATED MAP AMENDMENT #M-1 (MAP CORRECTION FOR 20th ST SE STORMWATER DETENTION FACILITY REDESIGNATION) AND SEVEN CITY-INITIATED TEXT AMENDMENT REQUESTS #T-1 AMENDING CHAPTER 1 ENTITLED "INTRODUCTION", #T-3 AMENDING CHAPTER 5 ENTITLED "PARKS AND RECREATION ELEMENT", #T-4 AMENDING CHAPTER 6 ENTITLED "TRANSPORTATION ELEMENT", #T-5 AMENDING CHAPTER 7 ENTITLED "UTILITIES & PUBLIC SERVICES & FACILITIES ELEMENT", #T-6 AMENDING SECTION ENTITLED "APPENDICES", #T-7 AMENDING COVER, FOOTERS AND TABLE OF CONTENTS, AND #T-8 AMENDING CHAPTER 8 ENTITLED "CAPITAL FACILITIES ELEMENT", WHICH AMEND THE COMPREHENSIVE PLAN LAND USE MAP, TEXT AND FIGURES PURSUANT TO THE CITY'S ANNUAL COMPREHENSIVE PLAN AMENDMENT AND UPDATE PROCESS.

WHEREAS, as one of the cities in Snohomish County, the City of Lake Stevens is required under RCW 36.70A.130(4)(a) to review and, if needed, revise its Comprehensive Plan and development regulations to ensure the plan and regulations comply with the Growth Management Act, Ch. 36.70A RCW; and

WHEREAS, on July 27, 2006, the Lake Stevens City Council enacted Ordinance No. 726 adopting an updated Comprehensive Plan for the City of Lake Stevens, and on November 27, 2006, enacted Ordinance No. 739 adopting Comprehensive Plan provisions consistent with the incomplete provisions adopted in Ordinance No. 726; and

WHEREAS, the Growth Management Act allows jurisdictions to amend comprehensive plans once a year, except in those situations enumerated in RCW 36.70A.130(2)(a); and

WHEREAS, the 2013 Comprehensive Plan amendments (2013 Docket) ratified by the City Council on July 8, 2013 include no Privately-Initiated Amendment Requests, one City-Initiated Map Amendment Request and seven City-Initiated Text Amendment Requests, which propose to revise the Comprehensive Plan land use map, text and figures; and

WHEREAS, pursuant to RCW 36.70A.130 all of the Comprehensive Plan amendments set forth in this ordinance were considered concurrently so the cumulative effect of the proposals could be ascertained; and

WHEREAS, on November 8, 2013, the City issued a State Environmental Policy Act (SEPA) Addendum No. 6 to the Integrated 2005 Comprehensive Plan and Environmental Impact Statement; and

WHEREAS, in taking the actions set forth in this ordinance, the City has complied with the requirements of the State Environmental Policy Act, Ch. 43.21C RCW; and

WHEREAS, on October 1, 2013, the City submitted the proposed 2013 Comprehensive Plan land use map, text and figure amendments to the Washington State Department of Commerce for its 60-day review and received documentation of completion of the procedural requirement on **XXX, 2013**; and

WHEREAS, the proposed land use map amendment (#M-1) is a map correction and does not require a concurrent rezone; and

WHEREAS, the Lake Stevens Planning Commission, after review of the proposed 2013 Comprehensive Plan land use map, text and figure amendments, held duly noticed public hearing on November 6, 2013, and all public testimony was given full consideration; and

WHEREAS, on December 9, 2013, the Lake Stevens City Council reviewed the Planning Commission's recommendation relating to the proposed 2013 Comprehensive Plan land use map, text and figure amendments and held a duly noticed public hearing, and all public testimony has been given full consideration.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE STEVENS, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The City Council hereby finds that 2013 City-Initiated Map and Text Amendments in this Ordinance meet the necessary criteria for approval of amendments to the Comprehensive Plan, in that:

1. The Amendments are consistent with the Growth Management Act and other applicable State laws;
2. The Amendments are consistent with the applicable County-wide Planning Policies;
3. The Amendments are consistent with the Community Vision or other goals, policies, and provisions of the Comprehensive Plan;
4. The Amendments can be accommodated by all applicable and available public services and facilities, including transportation;
5. The Amendments will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses, and/or residents; and
6. The Amendments will result in long-term benefits to the community as a whole, and are in the best interest of the community.

Section 2. The amendments shall be included with the Comprehensive Plan filed in the office of the Planning and Community Development Department and shall be available for public inspection.

Section 3. The City Council hereby corrects the Comprehensive Plan and Ordinances No. 726 and 739, as amended, by adopting 2013 City-Initiated Land Use Map Amendment Request #M-1, which corrects the Official Land Use Map (Figure 4.1 Land Use Map) by amending the boundaries for the land use designation of "P/SP" on Parcel No. 29061900302700 (XXXXX 20th Street SE, Lake Stevens) and land use designation of "MU" on Parcel No. 29061900301200 (10227 20th Street SE, Lake Stevens) due to equal acreage of dedication and vacation changing boundaries only and not

changing total acreage in each designation and set forth as shown in map and record of survey incorporated in **Exhibit A**. The boundary change is a map correction and does not require a concurrent site-specific rezone, but does include a concurrent Official Zoning Map correction.

Section 4. The City Council hereby amends the Comprehensive Plan and Ordinances No. 726 and 739, as amended, by adopting 2013 City-Initiated Text Amendment Request #T-1 (Chapter 1 Introduction) which updates the section entitled “*Public Process for Docket Cycles*” on pages 1-7 through 1-9 for the 2013 amendments to simplify the section and remove the separate docket cycle public meeting tables; and updates the Environmental Review section with the 2013 environmental process on page 1-29, of the Comprehensive Plan, as set forth below:

Pages 1-7 to 1-9 – Simplify section by removing separate docket cycle public meeting schedules.

Public Process for Docket Cycles

The Annual((2007)) Docket Cycles included the following meetings for public participation during the adoption process for Plan amendments:

<u>Annual((2007)) Docket Ratification</u>	
((April 30	Planning Commission Meeting
June 20	Planning Commission Hearing/Set Final Docket
July 16	City Council Workshop/ <u>Briefing</u>
July 23))	City Council Ratification of Final Docket
<u>Annual((2007)) Adoption of Amendments</u>	
((November 7	Planning Commission Public Hearing & <u>Recommendation to City Council on Adoption of</u> <u>Amendments</u>
December 3	City Council Workshop/ <u>Briefing</u>
December 5	((Planning Commission Adopt Amendments)) <u>Hearing Examiner Public Hearing for Associated</u> <u>Rezone, if required</u>
December 10	City Council Public Hearing
December 17	City Council Adoption of Amendments & <u>Rezones</u>
December 31))	Amendments Effective

~~((The 2008 Docket included the following meetings for public participation during the adoption process for Plan amendments:-~~

<u>2008 Docket Ratification</u>	
June 4	Planning Commission Meeting
July 2	Planning Commission Hearing/Set Final Docket
August 4	City Council Workshop
August 11	City Council Ratification of Final Docket
<u>2008 Adoption of Amendments</u>	
October 1	Planning Commission Public Hearing
November 5	City Council Workshop
November 17	Planning Commission Adopt Amendments
November 24	City Council Public Hearing & Adoption of Amendments
December 8	Amendments Effective

The 2009 Docket included the following meetings for public participation during the adoption process for Plan amendments:

2009 Docket Ratification	
March 4	Planning Commission Hearing/Set Final Docket
March 16	City Council Workshop
March 23	City Council Ratification of Final Docket
2009 Adoption of Amendments	
May 4	City Council Workshop
May 6	Planning Commission Public Hearing
May 11	City Council Public Hearing & Adoption of Amendments
May 25	Amendments Effective

The 2010 Docket included the following meetings for public participation during the adoption process for Plan amendments:

2010 Docket Ratification	
May 5	Planning Commission Hearing/Set Final Docket
May 24	City Council Ratification of Final Docket
2010 Adoption of Amendments	
July 7	Planning Commission Public Hearing
July 19	City Council Workshop
July 26	City Council Public Hearing & Adoption of Amendments
August 9	Amendments Effective

The 2011 Docket included the following meetings for public participation during the adoption process for Plan amendments:

2011 Docket Ratification	
September 7	Planning Commission Hearing/Set Final Docket
September 26	City Council Ratification of Final Docket
2011 Adoption of Amendments	
October 24	City Council Briefing
November 2	Planning Commission Public Hearing
November 28	City Council Public Hearing & Adoption of Amendments
December 12	Amendments Effective

The 2012 Docket included the following meetings for public participation during the adoption process for Plan amendments:

2012 Docket Ratification	
September 5	Planning Commission Hearing/Set Final Docket
September 24	City Council Ratification of Final Docket
2012 Adoption of Amendments	
October 22	City Council Briefing
October 25	Hearing Examiner Public Hearing for Associated Rezone
November 7	Planning Commission Public Hearing

December 10		City Council Public Hearing & Adoption of Amendments & Rezone
December 24		Amendments Effective))

The Lake Stevens Center Subarea Plan and 20th Street SE Corridor Subarea Plan had separate and combined public participation processes. Each subarea plan includes a Public Process Summary as an appendix. The summary includes a list of public meetings, open houses, public hearings, document issuance dates, etc., held to elicit comments from the public on the Planned Actions, environmental impact statements, subarea plans, capital facilities plan, development regulations, design guidelines, and zoning map and land use map changes. Public comments and responses on the draft environmental impact statements are included in the Final EIS.

Page 1-29 – Add sentence to end of “Environmental Review” Section to reference SEPA Addendum No. 6.

B. Environmental Review

A complete environmental review can be found in **Appendix A** of the Comprehensive Plan. Comments on the environmental analysis were gathered at the same time the overall Plan was circulated for public review. Adjustments were made based on comments received. The result is a Comprehensive Plan that responds to environmental goals of the community and complies with the State Environmental Policy Act. An addendum to the Final Environmental Impact Statement for the 2007 Docket was issued on November 16, 2007 and is included in **Appendix B**. An addendum to the Final Environmental Impact Statement for the 2008 Docket was issued on October 10, 2008 and is included in **Appendix G**. A Determination of Nonsignificance and Adoption of Existing Environmental Documents for the 2009 Docket was issued on March 25, 2009 and is included in **Appendix H**. An addendum to the Final Environmental Impact Statement for the 2009 revisions to the Capital Facilities Plan with amendment of the 2009 City Budget was issued on October 12, 2009 and is included in **Appendix I**. A Determination of Nonsignificance and Adoption of Existing Environmental Documents for the 2010 Docket was issued on July 7, 2010 and is included in **Appendix J**. Addendum No. 4 to the Integrated 2005 Comprehensive Plan and Final Environmental Impact Statement for the 2011 Docket was issued on October 19, 2011 and is included in **Appendix K**. Addendum No. 5 to the Integrated 2005 Comprehensive Plan and Final Environmental Impact Statement for the 2012 Docket was issued on October 12, 2012 and Adoption of Existing Environmental Documents for the Lake Stevens School District Capital Facilities Plan 2012-2017 was issued on October 19, 2012 and are included in **Appendix L**. Addendum No. 6 to the Integrated 2005 Comprehensive Plan and Final Environmental Impact Statement for the 2013 Docket was issued on November 8, 2013 and is included in **Appendix M**.

Draft and final environmental impact statements were issued for each subarea plan (20th Street SE Corridor and Lake Stevens Center) during the Subarea Planning Process. The documents included analysis of the subarea plans, planned actions, capital facilities plan, development regulations, design guidelines, zoning and land use map amendments, land use code amendments, and comprehensive plan amendments.

Section 5. The City Council hereby amends the Comprehensive Plan and Ordinances No. 726 and 739, as amended, by adopting 2013 City-Initiated Text Amendment Request #T-3 (Chapter 5 Parks and Recreation Element), which replaces the entire chapter with the updated Parks and Recreation Plan, of the Comprehensive Plan by adopting the amended Chapter set forth in **Exhibit B**.

Section 6. The City Council hereby amends the Comprehensive Plan and Ordinances No. 726 and 739, as amended, by adopting 2013 City-Initiated Text Amendment Request #T-4 (Chapter 6 Transportation Element), which amends the chapter by repealing Goal 6-10 on pages 6-23 to 6-24

related to Table 6-1 Street Inventory and removing Table 6-1 "Street Inventory" on pages 6-26 to 6-44, of the Comprehensive Plan by adopting the amendments set forth below:

Page 6-23- 6-24 – repeal Goal 6.10 and associated policies related to Table 6-1 "Street Inventory" as Table 6-1 is not necessary to publish as part of the Comprehensive Plan.

GOAL 6.10 ~~REPEALED IN 2013 DOCKET~~((UPDATE TRANSPORTATION ELEMENT OF THE COMPREHENSIVE PLAN TO VERIFY THE EXISTING ROAD INVENTORY AND UPDATE WITH NEW INVENTORY GENERATED FROM ANNEXED AREAS.

Policies

- ~~6.10.1 The City will perform a review of the existing Street Inventory in Table 6-1. Corrections and additions regarding the names and locations will be made to make the current.~~
- ~~6.10.2 Table 6-1 will be updated with the newly acquired roads from Snohomish County resulting from the Frontier Village, Soper Hill, Chapel Hill Fire District, and other annexations occurring before the next comprehensive plan docket cycle.~~
- ~~6.10.3 The City will perform a field evaluation to update and verify the classifications and conditions for all the roads in Table 6-1 in effort to obtain current and accurate information.)~~

Pages 6-26 to 6-44 – remove Table 6-1 Street Inventory.

Section 7. The City Council hereby amends the Comprehensive Plan and Ordinances No. 726 and 739, as amended, by adopting 2013 City-Initiated Text Amendment Request #T-5 (Chapter 7 Utilities & Public Services & Facilities Element), which updates the Figure 7.4 "Lake Stevens School District #4 Service Area" by adding the Snohomish School District boundaries on Page 7-10 and updates the Policy 7.3.6 to be consistent with the recently adopted amended underground utilities code (Ordinance No. 888) on page 7-22, of the Comprehensive Plan by adopting the amendments set forth in attached and incorporated **Exhibit C** and below:

Page 7-10 – update Figure 7.4 "Lake Stevens School District #4 Service Areas" with the Snohomish School District Boundaries and rename to "School District Service Areas" (Exhibit C).

Page 7-22 – update Utility Policy 7.3.6 for consistency with recently amended underground utilities code.

GOAL 7.3 PROCESS PERMITS FOR UTILITY FACILITIES IN A FAIR AND TIMELY MANNER AND IN ACCORD WITH THE DEVELOPMENT REGULATIONS WHICH ENCOURAGE PREDICTABILITY.

Policies

- 7.3.1 The City shall promote co-location of new public and private utility distribution facilities and coordination of construction timing to minimize construction-related disruptions and reduce the cost to the public of utility delivery.
- 7.3.2 The City will provide timely and effective notice to utilities to encourage coordination of public and private utility trenching activities for new construction and maintenance and repair of existing roads.

- 7.3.3 The City shall encourage provision of an efficient, cost effective and reliable utility service by ensuring land will be made available for the location of utility lines or other utilities.
- 7.3.4 The City will promote the extension of distribution lines to and within the urban growth area. Coordinate land use and facility planning to allow eventual siting and construction of any utility distribution lines within or adjacent to rights-of-way which are being dedicated or within roads which are being constructed or reconstructed.
- 7.3.5 The City shall review and amend existing regulations as necessary, including the critical areas ordinance, to allow maintenance, repair, installation and replacement of utilities.
- 7.3.6 The City will require underground utilities in all new developments, except:
- (a) If the Public Works Director determines that an underground system cannot reasonably be installed according to accepted engineering practices or undergrounding would adversely impact services not adjacent to the proposed site;
 - (b) For aboveground utility lines located along the following roadways:
 - (i) State Route 9,
 - (ii) State Route 92,
 - (iii) State Route 204,
 - (iv) Lundeen Parkway from SR 9 to Callow Road,
 - (v) 20th Street NE except between 118th Avenue NE and 127th Avenue NE,
 - (vi) Grade Road, and
 - (vii) 20th Street SE; or
 - (c) Power lines carrying a voltage of 15 kV or more.
- 7.3.7 The City shall encourage system design practices intended to minimize the number and duration of interruptions to customer service.
- 7.3.8 The City will continue to work with the Lake Stevens Sewer District to review and amend existing regulations to provide commonality, consistency, predictability and concurrent levels of sewer permits and regulation.
- 7.3.9 The City will cooperatively develop new regulations, as required or needed to further the purposes and goals of the Unified Sewer Service and Annexation Agreement and area-wide systems of sewer service.

Section 8. The City Council hereby amends the Comprehensive Plan and Ordinances No. 726 and 739, as amended, by adopting 2013 City-Initiated Text Amendment Request #T-6 (Appendices), to add a new Appendix M with the SEPA Addendum No. 6 of the Integrated 2005 Comprehensive Plan and Environmental Impact Statement as set forth in the attached and incorporated **Exhibit D** and update Appendix F with the current Six-Year Transportation Improvement Program as set forth in the attached and incorporated **Exhibit E**.

Section 9. The City Council hereby amends the Comprehensive Plan and Ordinances No. 726 and 739, as amended, by adopting 2013 City-Initiated Text Amendment Request #T-7 (Cover, Footers and Table of Contents), to update the Cover, Footers and Table of Contents, of the Comprehensive Plan, by adopting the amendments required after making amendments in Sections 3 through 10 of this ordinance.

Section 10. The City Council hereby amends the Comprehensive Plan and Ordinances No. 726 and 739, as amended, by adopting 2013 City-Initiated Text Amendment Request #T-8 (Chapter 8 Capital Facilities Element), to update Page 8-8 and Table -1 Capital Improvements, 2012 – 2032

for Parks and Table 8-2 – Unfunded Improvements, of the Comprehensive Plan, by adopting the amendments set forth below:

Page 8-28 Parks Section –

Parks: Chapter 5 is the Parks, Recreation and Open Space Element, which establishes specific goals and policies to guide decision-making and contains a detailed needs assessment for planning, acquisition, development and improvement of facilities and lands. The needs assessment provides the framework for the capital parks and recreation projects identified in Table 8-1. ~~((The City currently exceeds its' adopted level of service. However, at public meetings there has been continued and sustained testimony of the need for athletic fields and a skate park. The City in coordination with civic groups, citizens and public agencies is pursuing avenues to build the skate park.~~

In 2010 the City was able to purchase property adjacent to Eagle Ridge Park for additional park property and subsequently adopted a Park Master Plan. The plan calls for active and passive low impact uses while also housing the Lake Stevens Senior Center. The City expects to fund capital improvements to this park over the next 10-15 years through impact fees, grants, and donations.))

GOALS AND POLICIES

GOAL 8.1 PROVIDE PUBLIC FACILITIES IN A MANNER WHICH PROTECTS INVESTMENTS IN, AND MAXIMIZES USE OF, EXISTING FACILITIES AND PROMOTES ORDERLY COMPACT URBAN GROWTH.

PROJECT			COST	YEAR/S	Local	State/Fed	Mitigation	Dev Imp
Table 8-1 – Capital Improvements, 2014 – 2034								
<u>PARKS*</u>								
<u>Planning</u>								
<u>Cavalero Community Park Master Plan Joint Planning</u>			<u>10,000</u>	<u>2014-2015</u>	<u>X</u>		<u>X</u>	
<u>Wayfinding Plan</u>			<u>20,000</u>	<u>2015</u>			<u>X</u>	
<u>Trails, Paths and Pedestrian Facilities Master Plan</u>			<u>15,000</u>	<u>2015</u>			<u>X</u>	<u>X</u>
<u>Downtown Open Space Master Plan</u>			<u>30,000</u>	<u>2020</u>		<u>X</u>	<u>X</u>	
<u>Acquisition</u>								
<u>Neighborhood Park Acquisition (near 20th Street SE)</u>			<u>317,671</u>	<u>2019 - 2024</u>			<u>X</u>	
<u>Lakeside Path Right-of-Way/Easement Acquisition (northern section)</u>			<u>237,382</u>	<u>2015-2020</u>	<u>X</u>	<u>X</u>	<u>X</u>	
<u>Lakeside Path Right-of-Way/Easement Acquisition (eastern section)</u>			<u>222,684</u>	<u>2020-2025</u>	<u>X</u>	<u>X</u>		
<u>Lakeside Path Right-of-Way/Easement Acquisition (southern portion)</u>			<u>1.15 million</u>	<u>2030-2034</u>	<u>X</u>	<u>X</u>		
<u>Shoreline Acquisition</u>			<u>1 – 1.5 million</u>	<u>2020-2025</u>		<u>X</u>	<u>X</u>	
<u>Power Line Trail Right-of-Way/Easement Acquisition</u>			<u>838,200</u>	<u>2020-2025</u>		<u>X</u>	<u>X</u>	
<u>Development</u>								
<u>Complete Phase 1 of the Eagle Ridge Master Plan</u>			<u>80,712</u>	<u>2015</u>			<u>X</u>	<u>X</u>
<u>Complete Phase 2 of the Eagle Ridge Master Plan</u>			<u>271,205</u>	<u>2017</u>			<u>X</u>	<u>X</u>
<u>Complete Phase 3 of the Eagle Ridge Master Plan</u>			<u>560,005</u>	<u>2020</u>			<u>X</u>	<u>X</u>
<u>Power Line Trail Construction (northern segment)</u>			<u>699,600</u>	<u>2025-2030</u>			<u>X</u>	
<u>Power Line Trail Construction (southern segment)</u>			<u>641,700</u>	<u>2030-2034</u>			<u>X</u>	
<u>Improvements</u>								
<u>Hartford Road Walking Path/Trail Head</u>			<u>41,173</u>	<u>2014</u>		<u>X</u>	<u>X</u>	
<u>Catherine Creek and Centennial Woods Trail Improvements</u>			<u>15,206</u>	<u>2020</u>	<u>X</u>		<u>X</u>	

TABLE 8-2 UNFUNDED IMPROVEMENTS

Subject	Project	Cost (Thousands)	Potential/Proposed Funding Source
	Eagle Ridge Park Master Plan		
((Parks	Improvements Phase II	\$271	P&R District
	Eagle Ridge Park Master Plan		
Parks	Improvements Phase III	\$395	P&R District
Parks	Athletic Park (Land)	\$1,100	P&R District
Parks	Resource Park (Land)	\$528	P&R District
Parks	Trails	\$320	P&R District
Parks	Support Facility	\$500	P&R District
Parks	Community Center	\$1,200	P&R District
Parks	Basketball, uncovered	\$855	P&R District
Parks	Basketball, covered	\$1,200	P&R District
Parks	Volleyball	\$15	P&R District
Parks	Tennis, lighted	\$685	P&R District
Parks	Tennis, unlighted	\$190	P&R District
Parks	Football	\$1,205	P&R District
Parks	Soccer	\$250	P&R District
Parks	Baseball/Softball	\$7,265	P&R District
Parks	Jogging	\$0	P&R District
Parks	Picnic	\$460	P&R District
Parks	Swimming Beach	\$750	P&R District
Parks	Fishing	\$0	P&R District
Parks	Boat Launch	\$500	P&R District
Parks	Camping, Vehicle	\$0	P&R District
Parks	Camping, Tent	\$0	P&R District
Parks	Walking, Park	\$140	P&R District
Parks	Horseback Riding	\$15	P&R District))
Storm	Walker Hill Road ditch rocking	\$5	Storm Fund
Storm	East Lakeshore	\$500	Storm Fund
Storm	Hartford Drive	\$200	Storm Fund
Storm	Walker Hill & Grade Road	\$400	Storm Fund
Storm	Drainage - Grade Road Culvert	\$200	Storm Fund
Storm	North Lakeshore	\$300	Storm Fund
Storm	Bio Swale - Industrial District	\$750	Storm Fund
Storm	Lundeen Creek - Various Improvements	\$100,000	Storm Fund

Section 11. Severability. If any section, clause, phrase, or term of this ordinance is held for any reason to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance, and the remaining portions shall be in full force and effect.

Section 12. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five days after the date of publication.

PASSED by the City Council of the City of Lake Stevens this ____ day of December, 2013.

Vern Little, Mayor

ATTEST/AUTHENTICATION:

Norma J. Scott, City Clerk/Admin Asst

APPROVED AS TO FORM:

Grant K. Weed, City Attorney

First Reading:
Published:
Effective Date:

EXHIBIT A

#M-1

**LAND USE MAP CORRECTION FOR PARCELS NO.
29061900302700 AND 29061900301200**

**AND
RECORD OF SURVEY**



EXHIBIT B

PARKS AND RECREATION PLAN

EXHIBIT C

**UPDATED FIGURE 7.4
SCHOOL DISTRICT SERVICE AREAS**

DRAFT 11-7-13

Chapter 5: Parks, Recreation, & Open Space Element



DRAFT 11-7-13



Chapter 5 – Parks, Recreation and Open Space Element

CHAPTER 5: PARKS, RECREATION, AND OPEN SPACE ELEMENT



INTRODUCTION

Public parks, recreational facilities and open spaces improve the quality of life for community residents by providing areas for families and friends to socialize. Parks and open spaces create natural buffers between neighborhoods and create functional corridors for humans and wildlife throughout the urban environment.

The Parks, Recreation and Open Space Element of the Comprehensive Plan “Park Plan” establishes specific goals and policies that will help guide decision-making related to acquisition, development and improvement of facilities and lands. The Park Plan contains an inventory of the City's current parks, recreation facilities and open spaces; analyzes the City's ability to provide adequate parks, open space, and recreation services; sets service standards and guidelines; and identifies implementation strategies.

Regulatory/Policy Background

The Park Plan conforms to the Growth Management Act (GMA) (Chapter 36.70A RCW) and considers the planning criteria developed by the Washington State Recreation and Conservation Office (RCO).

The GMA includes several sections relating to parks, recreation, and open spaces:

- RCW 36.70A.020(9) establishes a planning goal to “Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.” Capital improvements are included within the definition of “Public Facilities.”
- RCW 36.70A.030 (Mandatory Element). Cities may impose impact fees for the provision of Public Facilities (including publicly owned parks, open space and recreation facilities) (RCW 36.70A.040, RCW 82.02.050). Impact fees must be based on demands on existing facilities by new development, and additional improvements required to serve new development (RCW 82.02.090).
- RCW 36.70A.070(8) requires a park and recreation element, which is consistent with the capital facilities plan element as it relates to park and recreation facilities.



Chapter 5 – Parks, Recreation and Open Space Element

Furthermore, this section states, “The element shall include: (a) Estimates of park and recreation demand for at least a ten-year period; (b) an evaluation of facilities and service needs; and (c) an evaluation of intergovernmental coordination opportunities to provide regional approaches for meeting park and recreational demand.”

- RCW 36.70A.150 states jurisdictions shall identify lands useful for public purposes and includes recreation.
- RCW 36.70A.160 requires jurisdictions to “identify open space corridors within and between urban growth areas. They shall include lands useful for recreation, wildlife habitat, trails, and connection of critical areas as defined in RCW 36.70A.030.”

The Park Plan includes the planning elements (listed below) as recommended by the RCO, which ensures continued eligibility for grant funds administered by that agency:

- Inventory,
- Public Involvement,
- Demand & Need Analysis,
- Goals & Objectives,
- Capital Improvement Program (six year plan for acquisition, development, renovation, & restoration projects), and
- Plan Adoption.

Facility Classifications, Characteristics and Inventory

There are many reasons for governments to provide parks, open space, recreational opportunities, cultural amenities, and trails for their citizens. Parks offer innumerable physical and psychological benefits by providing safe places for the community to exercise, recreate, meditate, and generally escape daily pressures. The City of Lake Stevens has a variety of parks ranging from small mini-parks serving a block or two to community parks designed to provide recreational opportunities to the City and beyond. In addition, special use and school parks, open spaces, and trails expand the variety of recreation areas available to the community. The inventory of parks, open spaces, and trails includes a mix of City and county facilities. Table 5.1 provides a brief description of the facilities, within or adjacent to the City of Lake Stevens, and describes the various park classifications; provides descriptions for each classification; and lists typical sizes, amenities and community service areas. Figure 5.1 illustrates the location of these same facilities and identifies prominent amenities associated with each facility. A detailed description of park types and individual parks and open spaces follows along with detailed maps of individual park classification types.



Chapter 5 – Parks, Recreation and Open Space Element

Table 5.1 – Park, Recreation & Open Space Classifications and Characteristics

Type	Typical Size	Description & Typical Amenities	Typical Area Served
Community Park	> 10 acres	Informal, formal, active, & passive recreation parks that serve a community with a mix of features (e.g., playgrounds, landscaping, picnic areas, trails, sports fields, structures, parking, special features, permanent restrooms, etc.)	Within 2.5 miles of residential areas
Neighborhood Park	≤ 10 acres	Informal, active, & passive recreation areas that serve adjacent residential neighborhoods that provide multi-use areas with a mix of playgrounds, landscaping, picnicking, trails, single or small sports fields, parking, restrooms, etc.	Within 1 mile of residential areas
Mini-Park	≤ 1 acre	Small public/private areas including playgrounds, landscaping, plazas, and picnic benches that serve the needs of the immediate neighborhood or commercial district	Within 1/2 mile of residential or commercial areas
School Parks	Varies	Playfields, playgrounds, sports & recreation facilities located at schools, distributed throughout the City, that may substitute for other park types and compliment the City's inventory	Varies
Special Use Parks & Facilities	Varies	Any public or private park or facility providing a unique experience or specific recreation need and/or commercial purpose distributed throughout the City	Varies
Trails & Pedestrian Facilities	Varies	Soft surface or paved trails, walking paths, sidewalks or multi-use trails for walking, hiking, and bicycling distributed throughout the City	1 multi-use trail w/in 1 mile of residential areas
Open Space	Varies	Low intensity and passive recreation areas such as Native Growth Protection Areas, greenbelts, or undeveloped areas distributed throughout the City	Varies, based on resource availability

Chapter 5 – Parks, Recreation and Open Space Element



Figure 5.1 – Lake Stevens Parks & Recreation Facilities



Chapter 5 – Parks, Recreation and Open Space Element

Inventory of Facilities

The following section includes an inventory of the parks, open space tracts, recreational facilities, and cultural programs and facilities found within or near the City. The City has approximately 146 acres of public parks, 10 acres devoted to special uses, 122 acres of open space and approximately seven miles of the Centennial trail (adjacent to or within City limits) in addition to approximately five miles of park trails. The numbers include City and county facilities (mini-parks, neighborhood parks and community parks), special use parks, trails and open space (undeveloped property and Native Growth Protection Areas). In addition to the public facilities described, there are approximately 145 acres of private parks and open spaces and an additional three miles of private trails that compliment the City's inventory. Different homeowner's associations are responsible for these facilities created during the subdivision process for specific neighborhoods.

Community Parks

Community parks have the largest service area and attract citizens from across the community. A large size and variety of amenities characterize community parks. These parks provide a mix of informal, active, and passive recreation areas with permanent facilities. Community Parks are generally at least 10-acres, but must be large enough to provide room for multiple uses such as sports fields, a recreation center, and group-use shelters alongside large open areas and playgrounds. Community parks should provide easy vehicular and pedestrian access to park users from the street network, sidewalks and bike lanes with dedicated parking areas. Community parks may benefit from multijurisdictional cooperation for facility planning, development and maintenance.

Cavalero Community Park – The park is located off 20th Street SE, in the southeastern part of the City. Because the park has a large undeveloped area and is located within the City of Lake Stevens, the City and Snohomish County are preparing to revise the master plan for this facility through a joint planning effort in the near future. Currently Cavalero has an off-leash dog area and undeveloped open space.



Eagle Ridge Park — City Council adopted the Eagle Ridge Park Master Plan in 2010. The plan includes a capital cost estimate and a schedule to implement the Master Plan in three phases over a 10-15 year period. The master plan includes details for park development and proposed amenities and recreational opportunities. The overall vision



Chapter 5 – Parks, Recreation and Open Space Element

for the park is that of an ‘outdoor classroom’ with both passive and active recreational activities that embrace and enhance the natural beauty of this park. Eagle Ridge currently houses the Lake Stevens Senior Center, soft trails, and open spaces. This park is notable for its eagle habitat. The master plan for this park envisions picnic shelters; a community garden; amphitheater; interconnected trails and educational features such as an interpretive center, outdoor classrooms and interpretive signage. The plan promotes the use of Low Impact Development in design and construction.



Lake Stevens Community Athletic Park

LSC Park, east of the City limits, is a 43-acre Snohomish County park. This park provides the largest athletic complex near Lake Stevens with baseball/softball fields, soccer fields and basketball courts. LSC Park also includes a picnic shelter, playground, walking path, permanent restrooms and landscaping.





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Table 5.2 – Community Park Inventory

Facility	Location	Owner	Acres	Picnic Shelter/Benches	Playground	Trail/Pathway	Basketball	Football/Soccer Fields	Softball/Baseball	View Corridor	Restrooms	Community Center	Open Space	Landscaping	Other
Cavalero Community Park	2032 79th Ave SE	Snohomish County	32.93			X				X			X		X
Eagle Ridge	2424 Soper Hill Road	City of Lake Stevens	28.20			X				X		X	X		X
Lake Stevens Community Park	1601 North Machias Rd	Snohomish County	43.24	X	X	X	X	X	X		X		X	X	
Total Acres			104.37												

As shown in Table 5.2, Lake Stevens Community Park provides the widest variety of recreational and active amenities. However, once Eagle Ridge and Cavalero parks are completed, each park will diversify the overall profile for community-level parks and contribute a unique set of amenities. Planning efforts for these parks should build on the unique characteristics of the site and address underrepresented or community preferred recreational uses. Figure 5.2 illustrates the distribution of community parks within and adjacent to Lake Stevens. As shown, there is a small gap, in the service area, located in the southeastern border of the Urban Growth Area. This small gap creates a minor divergence from the service standard for community parks. This gap may need to be addressed in the future if opportunities arise to provide additional meaningful recreation lands in the vicinity. It is more important to assure that Eagle Ridge and Cavalero parks provide a mix of high-quality recreational amenities, as they develop.

Neighborhood parks

Neighborhood parks are the “backbone” of the City’s parks inventory. These parks offer common gathering sites for social interaction, physical activity and play to residents from contiguous neighborhoods or a larger service area depending on amenities provided. Neighborhood parks should be located in highly visible and centralized locations that provide convenient and safe access for vehicles, pedestrians and



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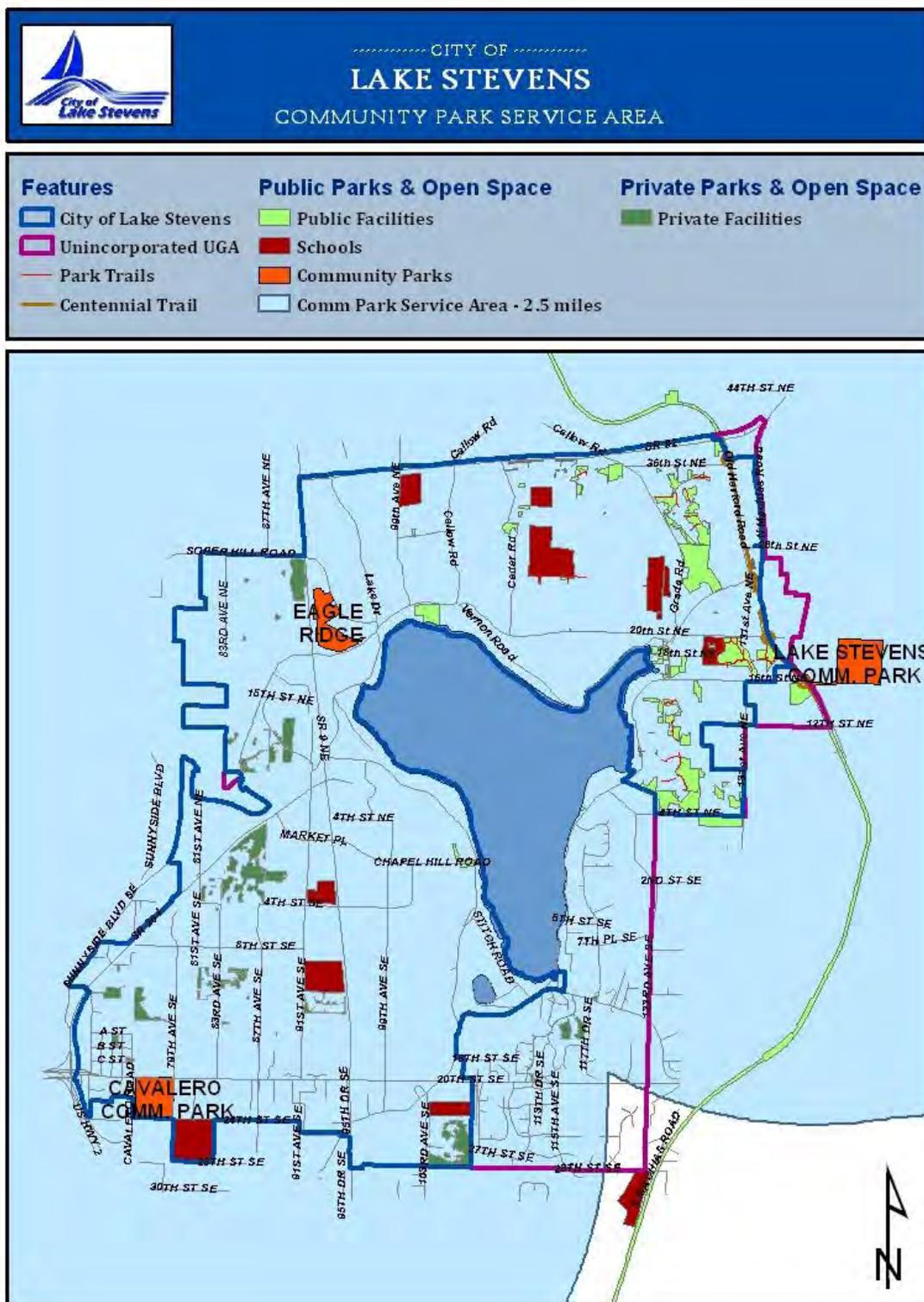


Figure 5.2 – Community Park Distribution



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bicyclists. This park type often incorporates passive and active recreational opportunities as well as provides multi-purpose facilities. Neighborhood parks should include permanent restrooms and parking areas.

Catherine Creek Park – An eight-acre community park, which the City leases from the Lake Stevens School District. This park is located adjacent to Mount Pilchuck Elementary School, between 20th Street NE and 16th Street NE. The park is maintained primarily as a "natural" park with a network of trails, access to Catherine Creek, and picnic facilities. It also includes a unique disc golf course, installed and maintained by the community in 2000.



Centennial Woods Park — A 6.3 acre passive recreation park purchased in 1997 through the Snohomish County Conservation Futures grant program. This park includes trails through the site, which connect the Centennial Trail to Catherine Creek Park (with an eye on an eventual connection to downtown).

Lundeen Park – A nine-acre multi-use park located south of Lundeen Parkway at 99th Avenue NE. Facilities include a public pier, 500 feet of shoreline, swimming area, two basketball courts, a children's playground and a tot lot (Sarita's Playground), interpretive stations along a salmon-spawning creek, a caretaker's residence, public restrooms, a rinse-off shower, a covered picnic area, and 98 parking spaces. The Lake Stevens Chamber of Commerce has a Visitor Center at the park.





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North Cove Park – A four-acre waterfront park located at the extreme northeast end of the lake. Access is available to downtown Lake Stevens, next to the City Hall complex. The park has a 250-foot municipal boardwalk/pier (interpretation, fishing & picnicking, but no boat access), picnic tables, and two horseshoe pits. Parking facilities are shared with the City Hall complex. The City is currently planning for future expansion and development of the park.



Wyatt County Park – A three-acre regional park, formerly known as Davies Beach, located four miles from downtown, across the lake, on Davies Road. Facilities include a public boat launch, a dock (for boats), a fishing pier, a swimming area, restrooms, picnic tables, and 80 parking spaces. This park is especially busy during summer weekends.



As shown in Table 5.3, Lundeen Park provides the widest variety of amenities, notably beach access, picnic facilities and playgrounds. Both Centennial Woods and Catherine Creek provide good locations to expand nature trails and add permanent restrooms and parking areas. Many people consider North Cove Park the “heart of downtown”. This Park should undergo a master planning effort to complement the “Downtown Plan” when completed. All of the neighborhood parks could expand playground facilities and add small athletic components. North Cove and Lundeen parks should continue to promote and develop water-related activities.



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Table 5.3 – Neighborhood Park Inventory

Facility	Location	Owner	Acres	Picnic Shelter/Benches	Playground	Trail/Pathway	Basketball	Beach / Swimming	Dock	Boat Launch	View Corridor	Restrooms	Open Space	Landscaping	Other
Catherine Creek	12708 20th St NE	Lake Stevens School District	16.55	X		X							X		X
Centennial Woods	131st Dr NE	City of Lake Stevens	6.02			X							X		
Lundeen Park	10108 Lundeen Parkway	City of Lake Stevens	10.05	X	X		X	X	X		X	X		X	X
North Cove	Main St & North Lane	City of Lake Stevens	2.28	X		X			X		X			X	X
Wyatt Park	20 South Davies Rd	Snohomish County	2.48	X				X	X	X	X	X		X	X
Neighborhood Parks Total Acres			37.37												

Figure 5.3 illustrates the distribution of neighborhood-level parks within Lake Stevens. As shown, there are gaps in the services area in the southern and western part of the City. To provide equity of distribution, the City should concentrate on acquiring lands in the southern part of the City for additional neighborhood parks as opportunities arise. The gap in the western part of the City is smaller and not as crucial, as two large private parks and an informal trail network provides some recreational outlets for the neighborhoods west of SR-9.

Mini-Parks

Mini-parks often referred to as “pocket parks” or “tot lots” are the smallest recreation sites within the park inventory. Mini-parks may be public or private. Many were created with neighborhood subdivisions. Mini-parks should be easily accessible to surrounding neighborhoods or within commercial centers. Ideally, mini-parks connect neighborhoods or commercial centers by paths, trails, sidewalks, bikeways, or greenways.



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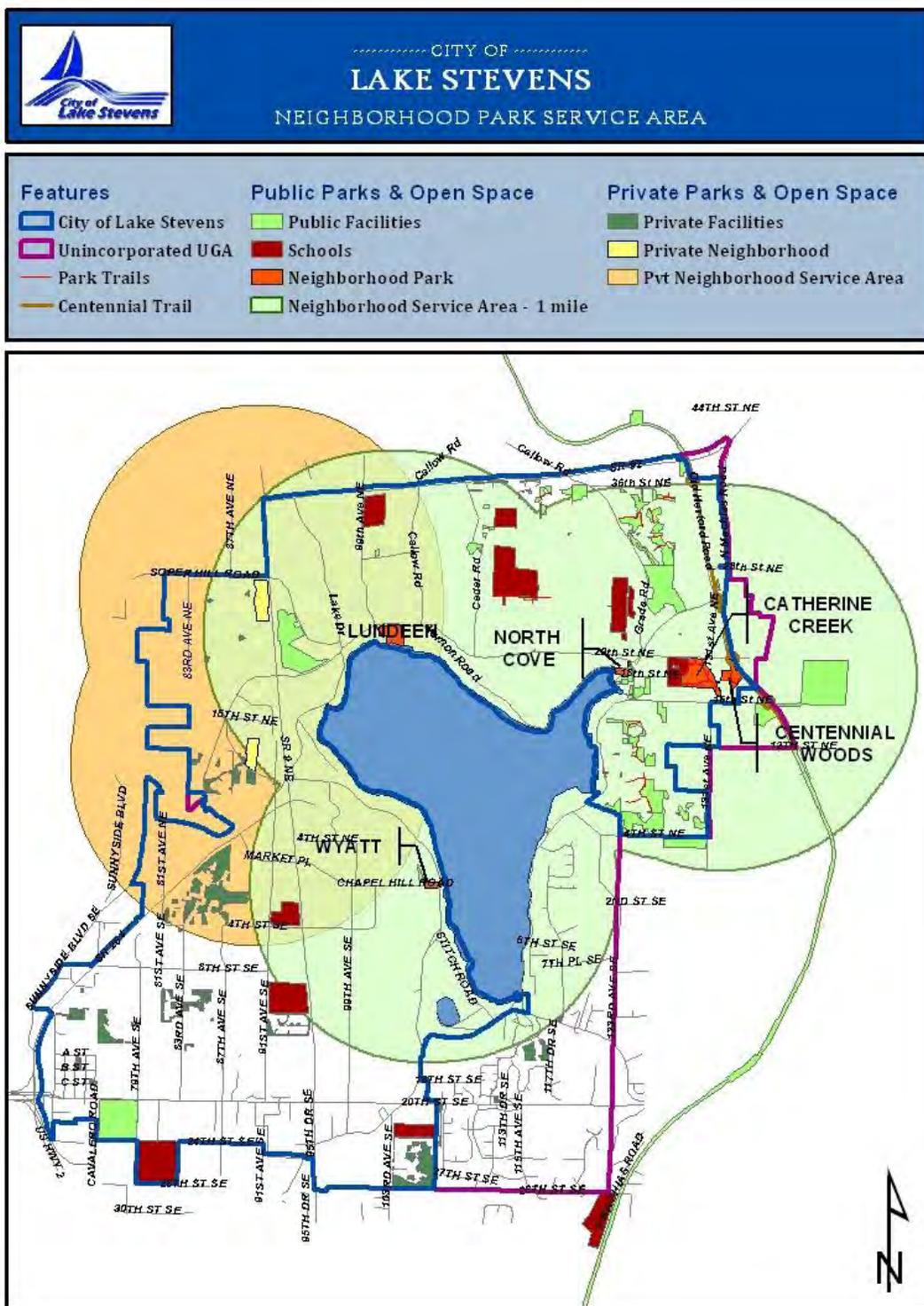


Figure 5.3 – Neighborhood Park Distribution



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Kid's Oasis Playground – A 0.5-acre playground located on the grounds of Mt. Pilchuck Elementary School. This park was built in 1992 as a community volunteer project, with help from individuals, businesses, the City, and the Lake Stevens School District. The playground is a "fantasy-style" wooden castle. Parking is available in the school parking lot. Children and parents use the playground throughout the year.

North Lakeshore Swim Beach – A popular 0.5-acre waterfront park providing lake access for summertime swimmers on North Cove. This park is located approximately 0.2 miles west of downtown on North Lakeshore Drive. Facilities include 560 square feet of useable beach, a 600 square foot municipal swimming dock, a portable restroom, and 10 parking spaces.



Sunset Beach – This is a 0.25-acre, County-owned, waterfront park whose primary use is water access and picnicking. It is located 0.3 mile south of downtown on East Lake Stevens Road. Facilities include a public dock, picnic tables, and six parking spaces. This park is especially busy during the summer season.

North Lakeshore and Sunset Park provide parallel amenities, while Kids Oasis provides the largest community playground, as shown in Table 5.4. In addition to the public mini-parks there are approximately 18 acres of private mini-parks. The City will continue to promote mini-parks in new neighborhoods and commercial areas as they develop, especially where gaps exist in the City, as shown in Figure 5.4.



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Table 5.4 – Mini-Park Inventory

Facility	Location	Owner	Acres	Picnic Shelter/Benches	Playground	Trail/Pathway	Beach/Swimming	Softball/Baseball	Dock	View Corridor	Open Space	Landscaping
Mini-Park – Public												
Kids Oasis	12708 20th St NE	Lake Stevens School District	0.36		X							
North Lakeshore Swim Beach	North Lakeshore Dr	City of Lake Stevens	0.71				X		X	X		
Sunset Park	410 E Lake Stevens Rd	Snohomish County	0.60	X			X		X	X		X
Mini-Park – Created w/ Subdivisions Dedicated to the Public												
Semi-Public Mini-Parks			3.26		X	X					X	X
Mini-Park Parks Total Acres			4.93									

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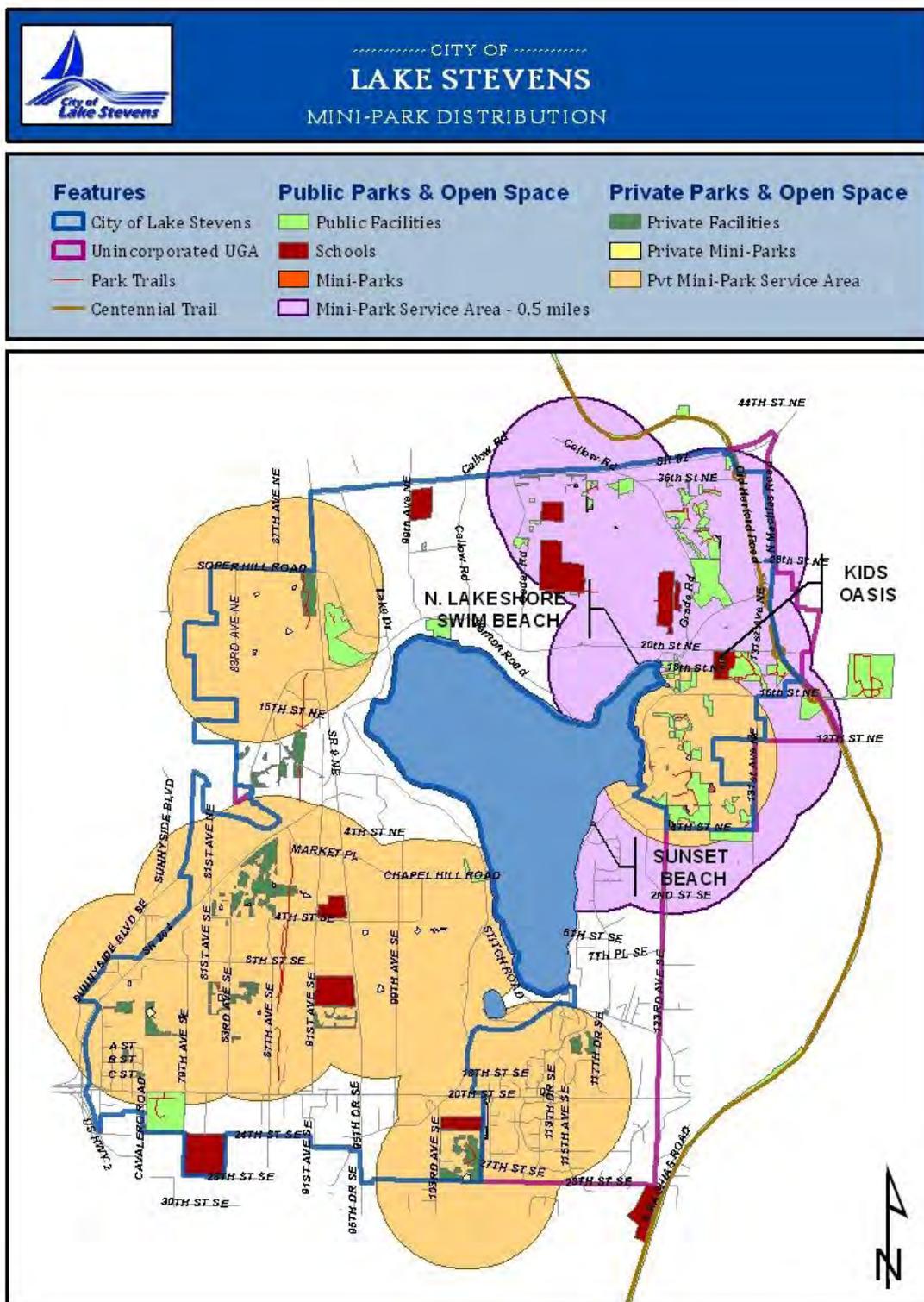


Figure 5.4 – Mini-Park Distribution



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School Parks

School parks constitute ancillary facilities, complimenting the community's inventory. School parks often provide recreational needs not available at other parks or provide similar functions as other park types. For example, elementary playgrounds provide a similar benefit to residential areas commonly met by mini-parks or neighborhood parks; whereas, middle schools and high schools may provide community-level or special-use park functions depending on available amenities. Because schools are typically located within residential neighborhoods, they are easily accessible and evenly distributed throughout the community. Additionally, school campuses provide area for sports activities, informal recreation uses, and potentially special activities.

The Lake Stevens School District (LSSD) owns the largest percentage of formal recreational/athletic facilities in the City. Many of the facilities are open to the public on a regular basis. The Park Plan promotes policies, which will allow the City to participate in jointly developing and managing parks and recreational facilities with the LSSD and other providers of leisure services to ensure efficient and effective use of the community's resources, avoiding redundant services and facilities.

As described in Table 5.5, the LSSD has six elementary schools – each has playground facilities and a mix of other amenities. There are three middle schools, one mid-high school and a single high school. Each school contains a different mix of athletic fields and play courts. The high school also houses a swimming pool, open to the public, which functions as a special use site.

Open Spaces and Natural Resources

Open spaces consist of undeveloped lands, passive recreation areas or Native Growth Protection Areas, both public and private. Open spaces allow residents to engage in low-intensity and passive recreation activities such as hiking and bird/wildlife watching, while protecting natural areas and resources. Typical amenities include soft trails, scenic views, boardwalks, interpretive signage and scenic views. Open space may provide habitat corridors for wildlife and links between neighborhoods for humans. Open spaces frequently buffer potentially incompatible land uses. Open space should be distributed throughout the City.

Currently, the land use code requires dedication of Native Growth Protection Areas on lands with critical areas such as wetlands, streams, and steep slopes during development. The City also requires the dedication or creation of open space as a condition of approval for some subdivisions and attached housing developments. These set asides form a large portion of the open space inventory for the City that must be managed cooperatively between the City, homeowners, homeowners' associations, other agencies and even non-profit land trusts.



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Table 5.5 – School Parks Inventory (LSSD)

Facility	Location	Playground	Trail/Pathway	Basketball	Track	Tennis	Football/Soccer Fields	Softball/Baseball	Swimming Pool	Gymnasium	Open Space
Cavelero Mid-High	8220 24th St SE		X		X	X	X	X		X	X
Centennial Middle	3000 S Machias Rd			X	X	X		X		X	X
Glenwood Elementary	2221 103rd Ave SE	X					X	X		X	X
Highland Elementary	3220 113th Ave NE	X					X	X		X	X
Hillcrest Elementary	9315 4th St SE	X		X	X			X		X	X
Lake Stevens High	2602 115th Ave NE				X	X	X	X	X	X	
Lake Stevens Middle/ Skyline Elementary	1031 91st Ave SE	X	X	X	X			X		X	X
North Lake Middle	2226 123rd Ave NE		X		X		X	X		X	X
Pilchuck Elementary	12708 20th St NE	X	X				X	X		X	X
Sunnycrest Elementary	3411 99th Ave NE	X	X	X						X	X

The City has many natural resources with the primary resource being Lake Stevens, a 1,040-acre lake and its tributaries, which provide migration, spawning, and rearing habitat for resident and anadromous fish species. The City provides a variety of habitat niches for terrestrial and aquatic wildlife and birds, notably there are many Bald Eagles that live around the lake – the most famous pair named George and Martha live in Eagle Ridge Park. Public agencies own many of these open spaces; others are dedicated through the development process or as gifts from property owners. Generally, open spaces are located in critical areas and are retained in a natural state to protect the resource. In total, the City of Lake Stevens includes nearly 124 acres of public and semi-public open space and an additional 111 acres of privately held open space. Together these areas equal approximately four percent of the City. As previously noted,



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much of this property is within dedicated Native Growth Protection Areas. Open spaces with the potential for passive recreation uses are listed below.

Downtown Open Spaces – Approximately five acres of open space exist between 16th Street NE and 18th Street NE, in downtown Lake Stevens. This area could be developed into a natural classroom with interpretive information, and connected by trails, sidewalks, and boardwalks.



Mill Cove Reserve Park – A one-acre passive recreation park purchased in 1997 through the Snohomish County Conservation Futures grant program. The wooded site is at the location of the historic Rucker Mill and contains wetlands and shorelands. From the site, one can see the pilings that supported the old mill over the lake. The City will continue to seek grant opportunities to finance trails, signage, and other passive recreation amenities.

Grade Road/Hartford Open Space – A 25-acre open space originally purchased as a potential municipal campus site located between Grade Road and Hartford Drive. The City has not officially incorporated this site into the open space inventory. However, this site has the potential for an additional natural area for fish and wildlife habitat protection and passive recreation. Appropriate development could include boardwalks and interpretive signage. Additionally, this site could be linked to other natural sites near downtown Lake Stevens.

Trails and Pedestrian Facilities

Soft surface and paved trails, walking paths, sidewalks and multi-use trails for walking, hiking, and bicycling make up the category of trails and pedestrian facilities. Paths and trails enhance connectivity between neighborhoods, parks, schools, transit facilities and commercial areas throughout the community and provide opportunities for alternative transportation. Recreational paths and trails can meander away from the road network, creating a focus on interacting with the natural or built environment. Sidewalks provide safe, direct routes between points along a road network.

Approximately five miles of public or semi-public trails exist in the City. Many of the shorter trails link road segments. Some of the newer subdivisions include soft trails within the outer portions of critical area buffers or as paths between different areas. One trail circumscribes the western and southern borders of the high school property. Two miles of trails meander through Catherine Creek Park. Gravel trails leading



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through Centennial Woods Park connect Catherine Creek Park to the Centennial Trail. There is also a network of informal trails in the power line corridor, located in the western portion of the City. Over time, the City should look for opportunities to enhance and connect these trails into an organized network throughout the City.

The Snohomish County Centennial Trail skirts the eastern City limits, 1.7 miles of which are within the City. Nearly seven miles of the Centennial Trails is adjacent to the City between Centennial Middle School and the Rhododendron Trail Head.

The trail stretches between the City of Arlington to the north and the City of Snohomish to the south. The trail is planned to extend from the southern Snohomish/King County line to the northern Snohomish/ Skagit County line. The trail serves pedestrians, bicyclists, skaters, and equestrians.

Figure 5.5 provides an overview of public and private open spaces and trail locations within or near the City.

Special Use Parks & Facilities

Special use parks may be any park type or facility (private or public) with a specialized amenity that provides a unique experience, particular sport or activity and may provide a revenue income. Special use parks may include boat launches, cultural facilities, community centers, recreation centers/facilities or public art. Commercial enterprises geared toward the lake such as non-motorized uses or the Centennial Trail could compliment the City's inventory of special use facilities. The size of these facilities varies depending on the proposed use and available amenities. Special use parks should be distributed throughout the City. Because demand for special use facilities is generated from within and outside the City limits, the City, County, and other recreation providers should cooperate on locating special use sites.

Bonneville Field Ball Park – A three-acre baseball field, which also provides informal trailhead parking for the Centennial Trail, is located at the intersection of 16th Street NE and Hartford-Machias Road. The Lake Stevens Junior Athletic Association operates this site. Facilities include a baseball diamond and approximately 35 parking spaces. The park is used primarily by organized little league teams during the summer.



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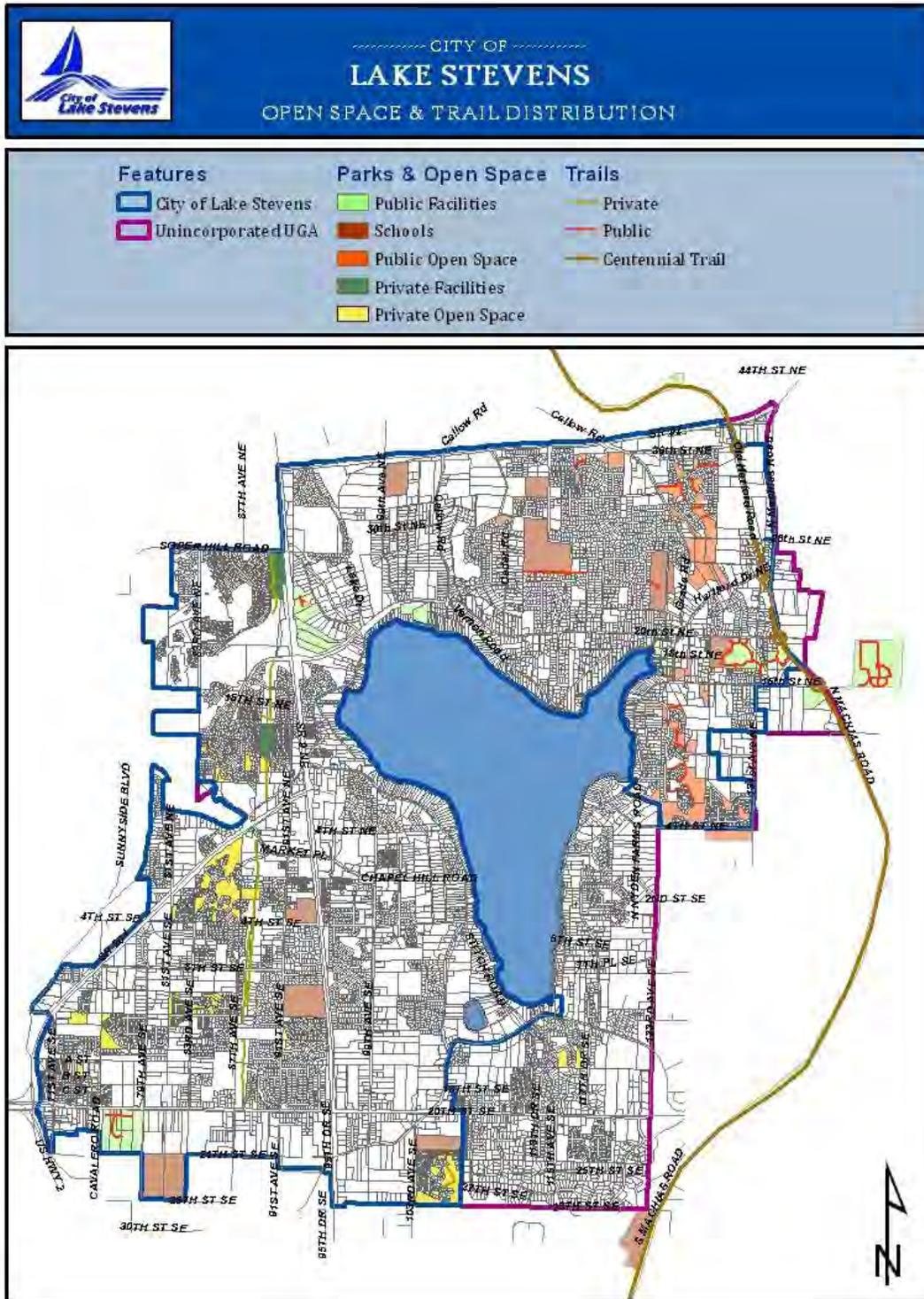


Figure 5.5 – Open Space and Trail Distribution



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City Boat Launch – A one-acre public boat launch and parking lot, with 30 spaces, is located on the eastern shore of North Cove. Access is from 17th Place NE, off Main Street. The Washington State Department of Fish and Wildlife owns this site and leases it to the City. Most users are boaters, anglers, and jet-skiers launching their watercraft. Use is heaviest on summer weekends.



Community Center – Within the City Hall complex is a 1,800 square foot meeting/activity hall with a small (<150 square foot) kitchen. The Center is used for public meetings, activities, and classes. The Center is available for rent by the public for specific activities.

Grimm House – The historic Grimm House, associated with the Rucker Mill, is located next to the Historical Museum and serves as an adjunct to the museum. Through volunteer efforts, the house has been relocated and renovated.

Historic Sites – The potential for historic sites in Lake Stevens is excellent because of the City's rich past linked to logging and railroads, evident in remains around the lake. For example, the concrete footing of the water tower serving the Rucker Brothers' Saw Mill is still located in North Cove Park. There are also trestle remains from the mill operations, in the lake, dating back to the turn of the century.

Lake Stevens Historical Museum – Adjacent to the Lake Stevens branch of the Sno-Isle Regional Library is the 1,600 square foot Lake Stevens Historical museum. The museum houses permanent and rotating exhibits illuminating the town's history, the Society's office, and a 1,000-piece historical photograph collection. The Lake Stevens Historical Society, formed in 1982, operates this museum. The Lake Stevens Historical Society is a group of about 150 individuals dedicated to preserving community history through the collecting of information and artifacts and educating the public.

Lake Stevens Senior Center – The Lake Stevens Senior Center, located at Eagle Ridge Park, welcomes all older adults to share in fellowship, classes and social events in the Lake Stevens area. The Senior Center is in a 2,800 square feet building with a commercial kitchen, dining/multi-purpose room, barrier-free bathrooms, office space and additional class and meeting rooms.

Lochsloy Field – The Lake Stevens School District owns this 15-acre site, located north of SR-92, between Lake Stevens and Granite Falls. Facilities include a baseball



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diamond, numerous soccer fields and a large parking area. Organized league teams use the park primarily during the summer.

Sno-Isle Regional Library, Lake Stevens Branch – The City owns a 2,500 square foot building at 1804 Main Street that serves as a library. The Sno-Isle Libraries provide library services to the community here. The building's size limits the possibility of increasing the collection, adding computer access and increasing programming. Based on current activity levels and 2025 population projections for the Lake Stevens area, Sno-Isle Libraries estimates a need for a 15,000 square foot facility.



Table 5.6 lists some well-known and popular special use sites and facilities.

Recreation Programs, Events and Special Providers

Aquafest – Lake Stevens' annual City celebration usually held in July. It includes an aqua-run, children's activities, fireworks, vendor booths and several parades.

Ironman Triathlon – Lake Stevens hosts an annual World Qualifying Triathlon event with competitors swimming, running and bicycling through Lake Stevens.

Lake Stevens Boys and Girls Club – A one-acre property located at the intersection of 16th Street NE and Main streets. Clubs, Inc., a non-profit organization composed of representatives of the Lake Stevens' Lions Club and the Lake Stevens Junior Athletic Association (LSJAA), owns this property. The Boys and Girls Club includes a recently remodeled building, gymnasium and a small meeting room (50-60 person occupancy) available for rent. This room is available for no cost to service clubs and scout troops. The property also includes a baseball diamond (Bond field), used for youth team sports, and storage/concession area, operated and maintained by LSJAA, behind the gymnasium. Approximately 75 parking spaces are available on the property.



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Table 5.6 – Special Use Inventory

Facility	Location	Owner	Acres	Football/Soccer Fields	Softball/Baseball	Dock	Boat Launch	Swimming Pool	View Corridor	Other
Bonneville Field	1530 N Machias Road	Snohomish County	7.32		X					X
City Boat Launch	North Drive	WA Dept of Fish & Wildlife	0.89			X	X		X	X
Community Center/City Hall	1805 Main Street	City of Lake Stevens	0.58							X
Grimm House	1804 Main Street	City of Lake Stevens	0.60							X
Library / Historic Society	1804 Main Street	City of Lake Stevens	0.25							X
Lochsloy Field	6710 147th Ave NE	Lake Stevens School District	15.17	X	X					
Special Use Parks Total Acres			24.81							

Lake Stevens Junior Athletic Association (LSJAA) – A non-profit youth organization, the LSJAA organizes seasonal teams for baseball, softball, soccer, football, and basketball. User fees fund LSJAA programs.

Lake Stevens School District – The LSSD offers evening and weekend classes in sports, hobbies, job skills, continuing education, and other recreational classes. The LSSD operates the indoor swimming pool. The LSSD Community Education program currently provides recreation and leisure service programming, such as summer youth recreation programs and adult programs in the fall, winter, and spring.

Rowing Clubs – Different rowing clubs use Lake Stevens frequently, hosting several large regattas on the lake, including the Washington State Games, and offer competitive rowing opportunities for juniors and adults.



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Scouting, 4-H, Church Youth Programs, Other Special Interest Groups – All the scouting organizations are represented in Lake Stevens, as well as 4-H. Additionally, many of the churches have youth programs.

FUTURE NEEDS AND LEVELS OF SERVICE

Methodology and Public Process

The City has traditionally based its level of service for parks and recreation facilities on an overall population ratio. Under this model, using the 2012 population estimate of 29,104, the City provides approximately five acres of developed or planned parkland per 1,000 residents. Comparatively, this is within the level of service ranges provided by neighboring communities. As a first step to providing an adequate land supply, setting a broad population-based goal is acceptable. However, there are inherent problems with this method. The City and its UGA have a limited amount of large usable lands remaining. As the City's population grows, it is not likely that it can continue to acquire a larger inventory of new parkland. Secondly, a population-based model ignores access to different types of parks, special features and an equitable distribution throughout the community. Finally, this older method does not inform a jurisdiction on the City's satisfaction with individual facilities, the inventory as a whole or identify preferences for specific types of amenities.

The current needs assessment and proposed service standards seek to address the deficiencies of the previous model. First, the City developed a park classification system previously described in Table 5.1. Second, the City completed an updated inventory of public and private facilities. The inventory categorized the facility by its classification, included current acreage and identified specific amenities available at each location. Third, the City proposed new level of services standards and mapped the distribution of different park facilities throughout the community based on the defined levels of service. The maps include an overall park distribution and individual distribution of different park types to determine access to residential areas. Fourth, the City developed and distributed a parks and recreation survey. The survey contained questions related to demographics, access to facilities, facility use & preferences, community desires, satisfaction and potential funding sources. Staff distributed the survey by direct mailing to a random sample population, posted it on the City's website and circulated at City events and meetings during the summer of 2013. Fifth, the Park and Recreation Planning Board held several regular meetings throughout the year and hosted two open houses, at different venues, to reach different City residents. The first open house included a presentation focusing on the current facility inventory and proposed changes to the level of service. The second open house was an informal "meet and greet" allowing Park Board members and staff to discuss parks and recreation issues directly with the public. Staff also briefed the Planning Commission and City Council about the project throughout 2013 at open public meetings. Finally,



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staff refined the earlier elements based on survey responses and comments from the community and City officials to develop the proposed model.

Level of Service Standards and Goals

The level of service standard (LOS) for park facilities are based on residential access and equitable distribution of facilities to different park types and trails community wide. The LOS standard for community parks is one park within 2.5 miles of residential areas. The LOS standard for neighborhood parks is one park within one mile of residential areas. The service goal for mini-parks (public and private) is one mini-park within 0.5 miles of residential areas. The LOS standard for multi-use trails is one trail within one mile of residential areas. The LOS standard for open space is five percent of the community. Within each facility, the City will strive to maintain a mix of amenities that reflect community use preferences as defined in the most current Lake Stevens Parks and Recreation Survey.

Needs Assessment

Survey respondents suggested that community and neighborhood level parks should receive the highest priorities. Some of the most popular uses included walking/hiking, picnicking, beach/dock use, and swimming. Some of the most desired improvements include walking, hiking and multi-use trails, picnic areas, public docks, a community garden, playgrounds, a skate park, and improved restrooms. Overall respondents claim to be somewhat satisfied with the facilities and amenities. The most common complaint was a perceived lack of amenities. Respondents identified the cost of park maintenance and land for additional access as major issues to be resolved. Popular funding sources include public and private partnerships and user fees.

Through a process of applying the adopted parks and open space LOS standards, reviewing the current inventory and analyzing the 2013 Community Survey a clear picture of the City's needs for public park and recreation facilities emerges. Four main categories comprise the current needs assessment: Planning, Acquisition, Site Development and Improvements & Maintenance. Each element provides the basis for developing a capital improvement plan. Decision-makers should prioritize the selection of capital projects based on gaps in the service for different park types, distribution of amenities throughout the park network, community preferences, opportunities, and likelihood of partnerships with other jurisdictions or private groups.

Park Planning

To improve existing recreational facilities and design new facilities, the City needs to develop master plans for specific uses and existing parks, in addition to new facilities added to the inventory. Master plans should consider the distribution of existing inventoried facilities and identify locations for improving and developing preferred uses



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and amenities from the community survey. Specifically, new master plans should consider opportunities to add playgrounds, picnic areas, permanent restrooms and active recreation areas including the location of a permanent skate/BMX park. Additionally master plans should identify potential locations for additional trails and shoreline acquisition and development.

The following list includes a series of proposed planning efforts, based on responses from the community survey, to implement the Park Plan.

1. Coordinate with Snohomish County to plan park facilities jointly within or adjacent to the City. A specific example for a capital project would be developing a coordinated master plan for Cavalero Community Park. This project would meet the identified preference for development of community level parks. This site should include a more formal trail network and could continue to include an off-leash dog area. A master plan for Cavalero should provide a formal parking area, restrooms, playgrounds, scenic views, picnic areas, and consider the inclusion of some type of active recreation amenity.
2. Craft a master plan for trails emphasizing formalizing the power line trail system into a multi-use trail, developing a lakefront path within the public right-of-way along Lake Stevens that provides pedestrian access to the waterfront at various locations and creating trail links between the western and eastern portions of the City, ultimately linking to downtown and the Centennial trail. Survey respondents identified walking paths and multi-use trails as preferred uses consistently throughout the community survey.
3. Develop a master plan to improve North Cove Park that addresses the need for additional beach access, playgrounds, picnicking, restrooms, etc. – all of which are community-preferred improvements. A master plan for North Cove Park should parallel downtown planning efforts.
4. Develop a master plan for non-motorized uses of the waterfront including swimming areas, beach use, rowing/paddling and public docks/piers. Improved shoreline access and a variety of water-related activities are important identified issues by residents. This project should be coordinated with a variety of user groups and stakeholders.
5. Prepare an open space plan for the various downtown shoreline, wetland, and riparian open spaces (e.g., Mill Cove Reserve, 16th and 18th Street wetlands and Grade Road open space) with an emphasis on low impact development, interpretative education and linkages. The community identified habitat protection and development of interpretive sites as an important goal for the community parks, recreation and open space system.
6. Produce a park wayfinding program, to identify the locations of parks and recreational facilities throughout the community. A wayfinding program would be crucial to providing a uniform image and highlighting existing and proposed site improvements.



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Acquisition

Based on the distribution of park facilities and survey responses, the City should identify opportunities to acquire the following lands to meet the recreational needs of City residents. Decision-makers should include one or more of these potential acquisitions as placeholders on the capital program list to act on as opportunities are identified.

1. The City should identify locations for two new public neighborhood level parks in the southern part of the City, near 20th Street SE. Acquisitions should include one park on each side of SR-9 to ensure equity of distribution. It is advisable to provide one park on the northern side of 20th Street SE that can be accessed on foot or park from the numerous developments occurring in this area.
2. The City should identify a location for a public neighborhood level park in the central part of City - west of SR-9. As noted earlier, acquisition of public property in this vicinity is important, but is secondary to acquiring lands in the southern part of the City because of the two large private parks in this area.
3. The City should identify locations for additional shoreline properties on Lake Stevens. Shoreline acquisition should consider expansion of current properties, a balance distribution of access points on all sides of the lake, lands that can provide a mix of active and passive recreation activities and linear access tracts for trails, paths and view corridors.
4. Rights-of-way/easements for multi-use trails, pedestrian paths and sidewalks throughout the City with an emphasis on a lakefront locations, the power line corridor in the western part of the City and east/west connections to the Centennial Trail and downtown.

Site Development

Some projects are ready for immediate implementation and construction. Decision-makers should give these projects a high-priority for inclusion on the capital project list. As the City completes other master plans, Council should consider adding these as future capital projects.

1. Complete construction of Eagle Ridge Master Plan's Phase 1 improvements (e.g., roofing garage and barn, vegetation maintenance, landscaping, community garden, trail development, interpretive signs, interpretation center, etc.) and start construction of Phase 2 improvements (e.g., restroom facilities and trailhead parking area, etc.) and Phase 3 improvements (e.g. playgrounds, parking lot, picnic shelter, amphitheatre, etc.
2. After acquisition of right-of-way/easements, the city should begin constructing the power line trail in phases.



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Park Improvements / Maintenance

Several projects do not need significant planning, but will help implement community desires and preferences and should be included on the capital project list. Such projects involve maintenance, repairs or improvements to existing facilities. Many of these projects could be completed through cooperative efforts between the City and stakeholder groups. Specific examples for consideration as a capital project follow.

1. Repair existing soft trails at Catherine Creek Park and Centennial Woods. This may include clearing brush and installing new surface materials on trails. The City should endeavor to define trailheads and install location and wayfinding signage between the two sites. As appropriate, City staff could install additional amenities at these sites including formal seating areas and picnic facilities along with restroom facilities.
2. Coordinate with user groups to repair and improve the disc golf course in Catherine Creek Park.
3. Construct a pedestrian pathway between Downtown Lake Stevens and the Centennial Trail along Hartford Drive NE terminating at land dedicated to the City for creating a new trail connection. The project would include improvements along Hartford Drive NE such as directional signage, striping and other safety features. The new trailhead should include landscaping, a paved trail connection, signage and possibly a seating area. If space is available, the site could include parking spaces for one or two cars.
4. Coordinate with the Washington Department of Fish and Wildlife on necessary repairs and improvements to the City boat launch. Improvements may include repairs to the boat launch, parking area, and addition of non-motorized launch.

Capital Projects

An analysis of existing conditions and projected needs in the previous section highlighted the areas of concern and opportunities for Lake Stevens. The Capital Facilities Element contains a strategy for achievement of the City's goals in light of the existing conditions in the City and identified needs. Capital projects will be prioritized based on the survey result preferences, needs assessment, levels of service, and relationship to economic development opportunities. The following list of different project types should be considered for inclusion in the Capital Facilities Element.

Planning Project No.1 – Cavalero Community Park Master Plan Joint Planning

Total Cost: \$10,000

Target Start Date: 2014

Description: Coordinate with Snohomish County on its planning efforts for Cavalero Community Park to ensure it provides city preferred recreation amenities.



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Proposed Funding Sources: Local Contributions, Impact fees

Location: 20th Street SE and 79th Ave SE

Justification: This project would meet the identified preference for developing community level parks.

Planning Project No.2 Wayfinding Plan

Total Cost: \$20,000

Target Start Date: 2015

Description: Produce a park wayfinding program in conjunction with economic development efforts to create a standard package for locating parks and recreational facilities and identifying amenities throughout the community.

Proposed Funding Sources: Impact fees

Location: Citywide

Justification: A wayfinding program would be crucial to providing a uniform image and highlighting existing and proposed site improvements to support economic development.

Planning Project No.3 Trails, Paths and Pedestrian Facilities Master Plan

Total Cost: \$15,000

Target Start Date: 2015

Description: Master plan for trails, paths, and pedestrian facilities identifying appropriate connections and engineered details for various trail types with an emphasis on trail connections, the power line trail, and a path around the lake.

Proposed Funding Sources: Impact fees, Development

Location: Citywide

Justification: This project would meet the identified preference for developing safe walking paths and multi-use trails throughout the community.

Planning Project No.4 Downtown Open Space Master Plan

Total Cost: \$30,000

Target Start Date: 2015

Description: Open space plan for various downtown open spaces including shoreline, wetland, and riparian areas. The plan would include environmental analysis, identify appropriate connections between areas, develop interpretive information and provide engineered details for boardwalks, viewing areas and signage.

Proposed Funding Sources: Impact fees, Grants



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Location: Mill Cove Reserve, Grade Road Open Space, Wetlands between 16th Ave NE and 18th Ave NE

Justification: This project would meet the identified preference for balanced habitat protection and development of interpretive sites as an important component in the community parks, recreation and open space system.

Acquisition Project No.1 Lakeside Path Right-of-Way/Easement Acquisition

Total Cost: \$1,610,066

Phase 1 (Northern Section approximately 3,800 linear feet) – \$237,382

Phase 2 (Eastern Section approximately 3,600 linear feet) – \$222,684

Phase 3 (Western/Southern approximately 18,000 linear feet) – \$1,150,000

Target Start Date: 2015-2034

Description: Purchase rights-of-way/easements for walking paths around the lake.

Proposed Funding Sources: Local Contributions, Impact fees, Grants

Location: Road network around Lake Stevens

Justification: This project would meet the identified preference for developing safe walking paths and multi-use trails throughout the community.

Acquisition Project No.2 Neighborhood Park Acquisition

Total Cost: \$317,671

Phase 1 (Southwest Lake Stevens between 5 – 10 acres) – \$158,835

Phase 2 (Southeast Lake Stevens between 5 – 10 acres) – \$158,835

Target Start Date: 2019 - 2024

Description: Identify locations for and acquire lands for two neighborhood level parks in the southern part of the City. Acquisitions should include one park on each side of SR-9 to ensure equity of distribution.

Proposed Funding Sources: Impact fees

Location: Southern part of the City, near 20th Street SE

Justification: This project would meet the Level of Service standard for access and distribution of neighborhood level parks.

Acquisition Project No.3 Shoreline Acquisition

Total Cost: \$1 – 1.5 million

Target Start Date: 2014-2019

Description: Identify locations for and acquire shoreline property that can provide a balance mix of water related activities around Lake Stevens.



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Proposed Funding Sources: Impact fees, Grants

Location: Lake Stevens

Justification: This project would meet the identified preference for acquisition and development of additional shoreline properties as an important part of the community parks, recreation and open space system.

Acquisition Project No.4 – Power Line Trail Right-of-Way/Easement Acquisition

Total Cost: \$838,200

Phase 1 (Northern Portion approximately 6,350 linear feet) – \$419,100

Phase 2 (Southern Portion approximately 6,350 linear feet) – \$419,100

Target Start Date: 2020-2025

Description: Purchase rights-of-way/easements for multi-use trails in the power line corridor.

Proposed Funding Sources: Impact fees, Grants

Location: Power line corridor in the western part of Lake Stevens

Justification: This project would meet the identified preference for developing safe walking paths and multi-use trails throughout the community.

Development Project No.1 – Complete Phases 1 and 2 of the Eagle Ridge Master Plan

Total Cost: \$911,922

Phase 1 – \$80,712

Phase 2 – \$271,205

Phase 3 – \$560,005

Target Start Date: 2015-2020

Description: Construct remaining improvements identified as Phase 1 improvements and then begin construction of Phase 2 and Phase 3 improvements identified in the Eagle Ridge Master Plan.

Proposed Funding Sources: Impact fees, Development

Location: Eagle Ridge Park

Justification: This project would meet the identified preference for developing community level parks.

Development Project No.2 Power Line Trail Construction

Total Cost: \$1,341,660

Phase 1 (Northern Segment construct approximately 6,350 linear feet) – \$699,960



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Phase 2 (Southern Segment construct approximately 6,350 linear feet) – \$641,700

Target Start Date: 2025-2034

Description: Construct multi-use trail along utility corridor.

Proposed Funding Sources: Impact fees

Location: Power line corridor in the western part of Lake Stevens

Justification: This project would meet the identified preference for developing safe walking paths and multi-use trails throughout the community.

Improvement Project No.1 Hartford Road Walking Path/Trail Head

Total Cost: \$41,173

Target Start Date: 2014

Description: Improve the pedestrian pathway between Downtown Lake Stevens and the Centennial Trail along Hartford Drive NE and construct a new trailhead at the intersection of Hartford Road and 131st Ave NE.

Proposed Funding Sources: Mitigation, Grants

Location: Hartford Drive NE between 20th Street NE and 131st Ave NE

Justification: This project would meet the identified preference for developing safe walking paths and multi-use trails throughout the community.

Improvement Project No.2 – Catherine Creek and Centennial Woods Trail Improvements

Total Cost: \$15,206

Phase 1 (Catherine Creek approximately 4,460 linear feet) – \$11,097

Phase 2 (Centennial Woods approximately 1,127 linear feet) – \$4,110

Target Start Date: 2020

Description: Improve existing soft trails at Catherine Creek and Centennial Woods.

Proposed Funding Sources: Impact fees, Local Contribution

Location: Catherine Creek and Centennial Woods Parks

Justification: This project would meet the identified preference for developing safe walking paths and multi-use trails throughout the community.

Financing

Parks and recreation facilities users do not necessarily recognize political boundaries; therefore, it is imperative that jurisdictions plan for and provide recreation facilities to meet the needs of the community jointly. Recognizing this fact also allows a more



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efficient system to be established using scarce tax dollars to provide for the recreational needs of regional populations. For example, it is more efficient to build a swimming pool between two jurisdictions where demand exists than to build two separate pools three blocks from each other simply because each City feels that tax dollars should be spent in individual communities. The City should continue to place emphasis on a balanced, cooperative approach to parks and recreation planning.

In accordance with the Revised Code of Washington 82.02.050 and 82.02.060, the City is to provide a balance between impact fees and other sources of public funds to meet its capital project needs. Revenues from property taxes, user fees (if imposed), sales taxes, real estate taxes, grants, and other revenue sources need to be used to pay the proportionate share of the growth-generated capital facilities costs. Therefore, the City's commitment to improving the parks system is not solely reliant on impact fees.

Impact Fees

Once an LOS is adopted, impact fees may be assessed under GMA to ensure that levels of services are maintained as the population grows. It is required that impact fees be based on the LOS in place at the time of development. It is in the City's interest to ensure impact fees are current as allowed under GMA based upon the level of service established in this element. The amount that could be charged new development would be determined through a separate fee study.

General Revenues

Unlimited General obligation bonds may be submitted to voters for park and recreation purposes. These bonds require approval by at least 60% of the resident voters during an election, which has a turnout of at least 40% of those who voted in the last state general election. The bond must be repaid from a special levy, which is not governed by the six percent statutory limitation on the property tax growth rate.

Grants

While the City has been successful in obtaining grants for parks, the lack of match has proved to be a constraint on obtaining even more grants. With a larger community, it is anticipated that the City's resources could be better leveraged with more and larger grants.

Special Revenue Funds

Conservation Futures: By state law, counties can elect to levy up to \$0.065 per \$1,000 of assess valuation for all County properties to acquire shoreline or other open space lands. In 1997, the City obtained conservation future funds to purchase about 21 acres of open space lands, contained in three parks.



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Real Estate Excise Tax (REET): State law allows counties the option of imposing excise taxes on the sale of real estate. The tax may be imposed in \$0.25 per \$1,000 in sale value to be used to finance capital facility developments, including the acquisition and development of park and recreational facilities.

Foundations

As another source of revenue the establishment of a foundation is being explored. The Parks Board and Arts Commission have agreed to look at developing a non-profit 501C Foundation that would provide the ability for people to make tax-exempt contributions that directly support parks and art activities.

GOALS AND POLICIES

An analysis of existing park, recreation, and open space facilities along with community input provide the basis for establishing goals and policies within the Park Plan. The goals and policies provide guidelines and actions for achieving that Plan. Goals are broad intent statements that describe a desired outcome. Policies provide the framework for developing specific measurable actions.

Vision – Ensure that the City has abundant, high-quality parks & recreation areas that balance recreational activities and enjoyment of the natural environment for the community.

GOAL 5.1 PROVIDE A HIGH-QUALITY, DIVERSIFIED PARKS, RECREATION AND OPEN SPACE SYSTEM THAT PROVIDES RECREATIONAL AND CULTURAL OPPORTUNITIES FOR ALL AGES AND INTEREST GROUPS.

Policies

- 5.1.1 Provide a system of multi-purpose neighborhood and community parks, throughout the community, accessible to all residents that meet the following levels of service:
 - a. Neighborhood Parks – one park within a one-mile radius of all residential areas and
 - b. Community Parks – one park within a 2.5-mile radius of all residential areas.
- 5.1.2 Provide a park, recreation and open space system with activities for all age groups and abilities, equally distributed throughout the community, with an emphasis on youth-oriented activities.
- 5.1.3 Provide a balanced mix of active recreational facilities including but not limited to court and field activities, skateboard/BMX areas, and multi-use trails and passive recreations facilities including but not limited to hiking/walking, shoreline access, and picnicking accessible to the largest number of participants.



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- 5.1.4 Promote balanced lake access for pedestrians and motorized and non-motorized watercraft so all segments of the population can enjoy the lake and have access to its recreational opportunities.
- 5.1.5 Encourage the inclusion of performing art facilities in public parks and recreation areas and incorporate visual arts into the design of park features, such as railings, benches, buildings and other amenities.
- 5.1.6 Support the use of indoor community spaces for arts and crafts, music, video, classroom instruction, meeting facilities and other spaces for all age groups on a year-round basis.
- 5.1.7 When appropriate and economically feasible, participate in the development of special interest recreational facilities.
- 5.1.8 Continue to participate in the annual Aquafest community celebration.
- 5.1.9 Identify recreational and cultural needs opportunities for special needs populations.
- 5.1.10 Support the Lake Stevens Historical Society in their efforts to inventory significant historical and archaeological resources and to provide information to the community on its history.

GOAL 5.2 PROVIDE AN INTERCONNECTED SYSTEM OF HIGH-QUALITY, ACCESSIBLE TRAILS AND GREENWAY CORRIDORS THAT OFFER DIVERSE, HEALTHY OUTDOOR EXPERIENCES WITHIN A VARIETY OF LANDSCAPES AND NATURAL HABITATS, PUBLIC FACILITIES, LOCAL NEIGHBORHOODS, BUSINESS DISTRICTS AND REGIONAL TRAILS.

Policies

- 5.2.1 Provide a comprehensive network of multi-use trails for pedestrians, bicycles, and skating using alignments along the public rights-of-way, through public landholdings as well as across cooperating private properties, which link residential neighborhoods to community facilities, parks, special use areas, commercial areas and the waterfront that meets the following level of service: one trail within one mile of residential areas.
- 5.2.2 Provide for a comprehensive inter-City trail system linking the downtown area, schools, parks, and the Centennial Trail.
- 5.2.3 Establish a multi-use trail around the lake, choosing a route that best provides lake access and/or views.
- 5.2.4 Establish a north/south trail under the power lines as identified in the Lake Stevens Center and 20th Street SE Corridor subarea plans.
- 5.2.5 Establish an east/west sidewalk trail along 24th Street SE and South Lake Stevens Road that will eventually connect to the Centennial Trail as identified in the 20th Street SE Corridor subarea plan.



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- 5.2.6 Establish, expand, and/or improve nature trails and boardwalks through open spaces with an emphasis on Eagle Ridge Park, Catherine Creek Park, Centennial Woods, Mill Cove Reserve, and the Grade Road Open Space.

GOAL 5.3 PRESERVE AND ENHANCE OPEN SPACE AND NATURAL RESOURCES AREAS INCLUDING FISH AND WILDLIFE HABITAT, MIGRATION CORRIDORS, NATURAL MEADOWS, AND WATER RESOURCES.

Policies

- 5.3.1 Preserve open space corridors and buffers to provide separation between natural areas and urban land uses with a goal of maintaining five percent of City as open space.
- 5.3.2 Plan, locate and manage park and recreation facilities so that they enhance wildlife habitat, minimize erosion, complement natural site features, and create linkages within the developed area.
- 5.3.3 Balance the desire for public access and interpretive education with preservation of environmentally sensitive areas and other natural sites
- 5.3.4 Maintain and enforce leash laws and animal at-large laws to stem wildlife predation.
- 5.3.5 Preserve lake and other scenic views for the public when considering land use decisions and when siting park and recreation facilities.
- 5.3.6 Plan for an open space system that may include:
- Natural or scenic areas,
 - Water bodies and drainage easements,
 - Public/private passive park and recreation sites,
 - Cultural, archaeological, geological and historical sites,
 - Large reserve tracts, private parks, common ground, and buffer areas from residential development,
 - Utility corridors, and
 - Trail corridors that may function as wildlife corridors

GOAL 5.4 MAXIMIZE PARK FACILITIES BY LEVERAGING, SHARING AND EFFICIENTLY USING RESOURCES.

Policies

- 5.4.1 Cooperatively plan for joint-use facilities, meeting and classrooms, athletic fields, and other facilities with the Lake Stevens School District, Lake Stevens Junior Athletic Association, Snohomish County Parks Department and other public or



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private providers of recreation services and facilities that are of mutual benefit to each agency and the users/participants in the City and its Urban Growth Area.

- 5.4.2 Create a comprehensive, balanced park, recreation, and open space system that integrates City facilities and services with resources available from the Lake Stevens School District, Snohomish County and other state, federal, and private park and recreational lands and facilities in a manner that will best serve and provide for area residents' interests.
- 5.4.3 Support continued cooperation between the City, non-profit organizations, the Lake Stevens School District, and other agencies for continuation and development of recreation programming for youths, senior citizens, and other segments of the population and to avoid duplication, improve facility quality and availability, which reduce costs, and represent area resident's interests through joint planning and development efforts.
- 5.4.4 Establish inter-local agreements between the City, County, School District and private non-profit organizations, and other agencies to provide for athletic facilities to serve the needs of the City and the Urban Growth Area.

GOAL 5.5 MAINTAIN PARK FACILITIES TO MAXIMIZE LIFE OF THE FACILITIES AND TO PROVIDE AN ATTRACTIVE AND PLEASING ENVIRONMENT FOR USERS.

Policies

- 5.5.1 Design and develop facilities, which reduce overall facility maintenance and operation requirements and costs. Where appropriate, use low maintenance materials, settings or other value engineering considerations that reduce care and security requirements, and retain natural conditions and experiences.
- 5.5.2 Develop a maintenance management system to estimate and plan for life cycle maintenance in addition to replacement costs.
- 5.5.3 Provide operation and maintenance to insure safe, serviceable, and functional parks and facilities. Provide adequate funding to operate and maintain existing and new special use sites.
- 5.5.4 The City shall establish creative methods to efficiently expand park and trail maintenance services such as encouraging volunteer efforts, continued use of the State Department of Corrections crews, and mutual coordination with other local agencies.
- 5.5.5 Where appropriate, the City should initiate joint planning and operating programs with other public and private agencies to provide for special activities like shoreline access, aquatic facilities, marinas, and community festivals.
- 5.5.6 In the design of parks, encourage the use of materials and designs to reduce the occurrence and impacts of vandalism. Parks design which provides for easily



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surveillance of facilities by residents and by police can reduce the incidence. Use of materials such as graffiti resistant coatings can reduce the impacts.

- 5.5.7 Repair acts of vandalism immediately to discourage park property and City recreation facilities from becoming targets for further such acts.
- 5.5.8 Ensure that all park and recreation facilities owned and operated by the City comply with ADA accessibility requirements.
- 5.5.9 Establish a formal volunteer network as volunteerism is a significant source of energy and ideas. The City must continue to tap and improve existing opportunities to involve the community in its own programs. The City shall formalize a volunteer program that include "adopt a park," and "adopt a trail," and similar programs.

GOAL 5.6 THE CITY RECOGNIZES THAT LAND IS IN HIGH DEMAND AND THAT ACQUISITIONS MUST BE PURSUED AS QUICKLY AS POSSIBLE TO IMPLEMENT THE COMMUNITY'S VISION CONCURRENTLY WITH DEVELOPING AND IMPROVING EXISTING FACILITIES TO ACHIEVE A HIGH-QUALITY AND BALANCED PARK AND RECREATION SYSTEM.

Policies

- 5.6.1 Add capacity at existing parks by expanding or improving facilities to accommodate current and future populations and desired uses including walking/hiking trails, active recreation, and passive recreation.
- 5.6.2 Acquire additional shoreline lands for trails, public docks, waterfront fishing, wading, swimming, boating and other water related recreational activities.
- 5.6.3 Cooperate with public and private agencies, and with private landowners to set aside land and resources necessary to provide high-quality, convenient park and recreation facilities before the most suitable sites are lost to development.
- 5.6.4 Work with developers to identify additional parks, recreation and open space opportunities in redeveloping areas.
- 5.6.5 Prioritization for new park and recreation facilities shall take into consideration areas within the community, which are under-represented by parks, types of desired facilities not presently available, availability of properties appropriate for a particular type of park, and availability and opportunities for grants and other funding sources.
- 5.6.6 With a developer requirement of paying GMA based park mitigation fees, developers are still encouraged to install mini-parks voluntarily for the benefit of their developments, however such mini-parks shall not be credited against meeting the developer's mitigation obligation. The City has not defined an LOS



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for mini-parks, but encourages one park within a half-mile radius of all residential areas

GOAL 5.7 DEVELOP PARK AND TRAIL DESIGN STANDARDS.

Policies

- 5.7.1 Standardize facility design to ensure consistency and quality in the Lake Stevens park system, and establish a standard for trail signage including interpretive, safety, and regulatory signs.
- 5.7.2 Develop trail improvements to a design and development standard that facilitates maintenance, security, and other appropriate personnel, equipment, and vehicles and includes:
 - a. Trail systems with appropriate supporting trailhead improvements that include interpretive, directory and mileage signage as well as rules and regulations for trail use.
 - b. Provide site furnishings such as benches, bike racks, dog waste stations, and trash containers.
 - c. Locate trails in conjunction with park sites, schools, and other community facilities to increase local area access to the trail system and to take advantage of access to existing restrooms and drinking water thereby reducing duplication of supporting improvements.
 - d. Design outdoor picnic areas, trails, playgrounds, courts, fields, parking lots, restrooms, and other active and supporting facilities to be accessible to individuals and organized groups of all physical capabilities, skill levels, age groups, income and activity interests.
- 5.7.4 Implement the provisions and requirements of the Americans with Disabilities Act (ADA) and other design and development standards that will improve park facility safety and security features for park users, department personnel, and the public-at-large.
- 5.7.5 Promote sustainable landscapes to increase the ecological functions of natural areas and utilize native vegetation in planted areas, where possible.
- 5.7.6 Choose durable products to promote human health in a safe environment and consider life-cycle analysis of material options. Incorporate green building technology including nontoxic materials and sustainable development practices. Select local products where feasible. Consider environmental as well as economic impacts



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GOAL 5.8 INCREASE AWARENESS OF PARK AND RECREATION ACTIVITIES.

Policies

- 5.8.1 Promote the use of local parks through the media, Aquafest, other festivals and by providing information as to their availability such as publishing maps showing park locations and their available facilities.
- 5.8.2 Promote and provide volunteer opportunities.
- 5.8.3 Facilitate community involvement and stewardship.
 - a. Continue and expand the volunteer work party program.
 - b. Continue and expand the Adopt-a-trail program.
 - c. Develop interlocal management agreements.
 - d. Encourage participation in community trail events.
 - e. Expand on existing relationships with schools, business and non-profit organizations.
- 5.8.4 Promote environmental protection as part of providing a successful park and recreation program by establishing a permanent celebration promoting Earth Day activities
- 5.8.5 Where appropriate, use adopt-a-park programs, neighborhood park watches, park police patrols, and other innovative programs that will increase safety and security awareness and visibility.
- 5.8.6 Provide historic and natural interpretation opportunities throughout the City's park system.
- 5.8.7 Promote commercial recreation opportunities along the Centennial Trail and on and near the lake.
- 5.8.8 Utilize interpretive materials to highlight features such as native flora and historic points of interest

GOAL 5.9 CREATE EFFECTIVE AND EFFICIENT METHODS OF ACQUIRING, DEVELOPING, OPERATING AND MAINTAINING FACILITIES AND PROGRAMS THAT ACCURATELY DISTRIBUTE COSTS AND BENEFITS TO PUBLIC AND PRIVATE INTERESTS.

Policies

- 5.9.1 Establish financing mechanisms to ensure that adequate parks, open space, and recreation facilities are available to the community.
- 5.9.2 Investigate innovative available methods or the financing of maintenance and operating needs in order to reduce costs, retain financial flexibility, match user benefits and interests, and increase facility services.



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- 5.9.3 The City shall explore and where appropriate adopt a creative funding strategy which takes advantage of traditional sources, such as capital budgeting, grants, and developer contributions, but also non-traditional sources including, but not limited to volunteers, interlocal agreements, donations, foundations, interjurisdictional partnerships, and other appropriate mechanisms.
- 5.9.4 In developing the park system, encourage donations and dedications, conservation easements, innovative land use contractual agreements and other methods involving foundations, organizations, associations, trusts, developers, landowners, others from the private sector and neighboring and regional governments.
- 5.9.5 Allow fee stewardship programs to be established in conjunction with recognized land conservancies to maintain dedicated natural areas in lieu of permitting homeowner associations to assume such responsibilities (assuming the City does not wish to assume such responsibility).

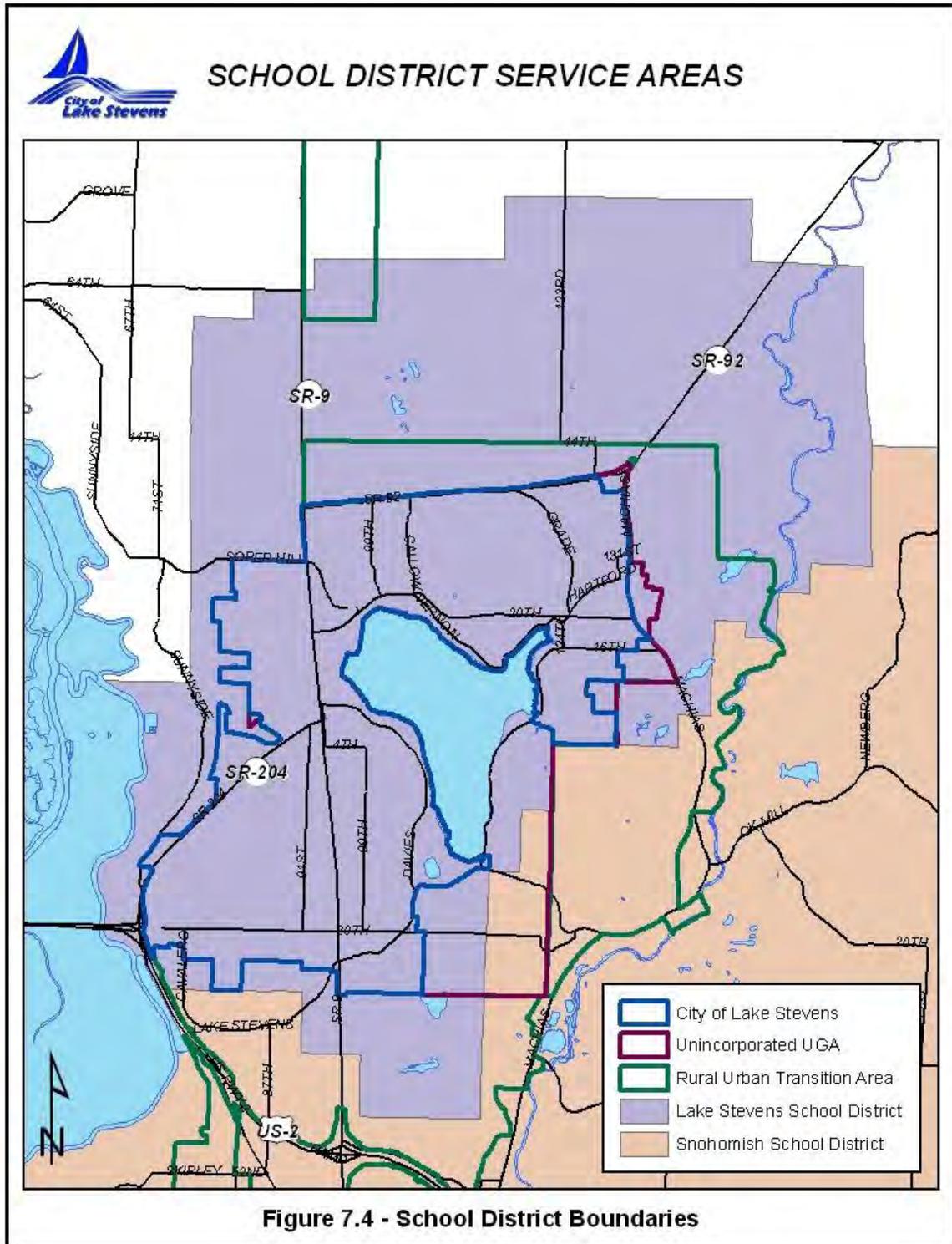


EXHIBIT D

APPENDIX M

**ADDENDUM NO. 6
TO THE CITY OF LAKE STEVENS
INTEGRATED 2005 COMPREHENSIVE PLAN AND
FINAL ENVIRONMENTAL IMPACT STATEMENT**

EXHIBIT E

UPDATED APPENDIX F

**SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM
(2014-2019)**

City of Lake Stevens Start year: 2014
 Transportation Improvement Program (2014 - 2019)

Revision: 05/14/2013

Proj ID #	ROAD	FROM	TO	COST	Description	Local	State/Fed	Mitigation	Dev/Imp	TOTAL Project				
										Design	ROW	Constr	LOCAL	GRANT
2(1)	SR 9/4th NE - Intersection	4th St NE	-	3,000,000	Improve egress WB alignment right turn onto SR 9 and add a new right turn ingress for EB onto 4th St NE. Additional improvement is the construction of a new alignment N-S Village Way Road (350rd)	X	X	X	X	623,183	642,500	1,734,317	300,000	2,700,000
3	90th Ave NE Connector	SR 204	Vernon	1,140,000	Construction of a new roadway segment that would allow for right in-right out movement for SR 204. Roadway would be developer driven			X	X	114,000	200,000	826,000	1,140,000	-
7(4)	91st Ave NE	SR 204	Vernon	351,000	Upgrade roadway to create a pedestrian friendly downtown style streetscape	X		X	X	35,100	20,000	295,900	351,000	-
W.2	SR 92 and Lake Dr Re-channelization	Intersection		200,000	State driven safety project to reduce vehicle conflicts		X			30,000		170,000		200,000
7(1)	20th St SE - Segment 1	83rd Ave SE	91st Ave SE	4,843,380	Widening of existing two lane to four lane, providing non-motorized travel area with pedestrian sidewalks and improved drainage and lighting	X	X	X	X	520,802	850,211	3,472,167	1,695,183	3,148,197
7(3)	20th St SE - Segment 2	79th Ave SE	83rd Ave SE	3,970,366	Widening of existing two lane to four lane, providing non-motorized travel area with pedestrian sidewalks and improved drainage and lighting	X		X	X	397,838	921,922	2,650,606	1,389,628	2,580,738
7(5)	20th St SE - Segment 3	73rd Ave SE	79th Ave SE	2,770,169	Widening of existing two lane to four lane, providing non-motorized travel area with pedestrian sidewalks and improved drainage and lighting	X	X	X	X	345,853	118,821	2,305,495	969,559	1,800,610
7(6)	20th St SE - Segment 4	US 2	73rd Ave SE	2,599,205	Widening of existing two lane to four lane, providing non-motorized travel area with pedestrian sidewalks and improved drainage and lighting	X	X	X	X	294,930	341,610	1,962,665	909,722	1,689,483
6(1)	24th St SE/73rd SE - Intersection	73rd Ave SE	-	800,000	Construction of a new intersection to provide internal vehicle and non-motorized circulation adjacent to 20th Street SE. Construction is developer driven.			X	X	80,000	50,000	670,000	800,000	-
6(2)	24th St SE	73rd Ave SE	79th Ave SE	3,653,000	Construction of a new roadway segment to provide internal vehicle and non-motorized circulation adjacent to 20th Street SE. Construction is developer driven.			X	X	365,300	200,000	3,087,700	3,653,000	-
6(3)	24th St SE/79th SE - Intersection	79th Ave SE	-	800,000	Construction of a new intersection to provide internal vehicle and non-motorized circulation adjacent to 20th Street SE. Construction is developer driven.			X	X	80,000	50,000	670,000	800,000	-
6(4)	24th St SE	83rd Ave SE	87th Ave SE	5,278,000	Construction of a new roadway segment to provide internal vehicle and non-motorized circulation adjacent to 20th Street SE. Construction is developer driven.			X	X	527,800	200,000	4,550,200	5,278,000	-
6(5)	24th St SE/83rd SE - Intersection	83rd Ave SE	-	800,000	Construction of a new intersection to provide internal vehicle and non-motorized circulation adjacent to 20th Street SE. Construction is developer driven.			X	X	80,000	50,000	670,000	800,000	-
6(6)	24th St SE	SR 9	91st Ave SE	2,970,000	Construction of a new roadway segment to provide internal vehicle and non-motorized circulation adjacent to 20th Street SE. Construction is developer driven.			X	X	297,000	200,000	2,473,000	2,970,000	-

Revision: 05/14/2013

Proj ID #	ROAD	FROM	TO	COST	Description	Local	State/Fed	Mitigation	Dev Imp	TOTAL Project			LOCAL	GRANT
										Design	ROW	Constr		
1(1)	91st Ave NE/SR 204 - RTP	SR 204	200' north	337,000	Widen south bound outside lane to provide for a dedicated right turn lane	X	X	X	X	33,700	10,000	293,300	134,800	202,200
1(2)	91st Ave NE/SR 204 - RTP	SR 204	300' south	454,100	Widen north bound outside lane to provide for a dedicated right turn lane	X	X	X	X	45,410	20,000	388,690	181,640	272,460
2(2)	91st Ave SE	20th St SE	4th St SE	4,770,000	Widen to a three lane section with non-motorized improvements and pedestrian improvements that include sidewalk segments and curb separated walking paved shoulder areas along the east side of the roadway	X	X	X	X	477,000	300,000	3,993,000	715,500	4,054,500
2(3)	91st Ave SE	20th St SE	24th St SE	1,950,000	New connector roadway to 24th St SE			X	X	195,000	100,000	1,655,000	1,950,000	-
8(4)	99th Ave NE	Market	4th St NE	1,170,000	Enhance Streetscape with improvement with non-motorized enhancements and circulation improvements with a possible roundabout intersection at 4th NE	X	X	X	X	117,000	40,000	1,013,000	292,500	877,500
14(A)	4th St NE	91st Ave NE	SR 204	7,578,460	New internal connector and circulation roadway. Will require a new break in access on to SR 204. Intersection would be a right turn only.			X	X	757,846	500,000	6,320,614	7,578,460	-
14(7)	99th Ave SE	20th St SE	4th St SE	4,763,800	Widen to a three lane section with non-motorized improvements and pedestrian improvements that include sidewalk segments and curb separated walking paved shoulder areas along the east side of the roadway	X	X	X	X	476,380	200,000	4,087,420	1,905,520	2,858,280
14(8)	99th Ave SE	20th St SE	Lake Stevens Rd	5,507,800	Widen to a three lane section with non-motorized improvements and pedestrian improvements that include sidewalk segments and curb separated walking paved shoulder areas along the east side of the roadway			X	X	550,780		4,957,020	5,507,800	-
D(1A)	20th St NE & Main Intersection	Intersection		1,112,004	Widening to provide turn pockets or possible roundabout improvements	X	X	X	X	111,200		1,000,804	556,002	556,002
D(1B)	Grade Road	20th St NE	SR 92	15,607,836	Widen to a three lane section with non-motorized improvements and pedestrian improvements that include sidewalk segments and curb separated walking paved shoulder areas along the west side of the roadway	X	X	X	X	1,560,784	1,000,000	13,047,052	7,803,918	7,803,918
12(5)	91st Ave NE - Intersection	Vernon Rd	-	200,000	Minor widening and possible mini roundabout to improve safety and circulation	X		X	X	20,000		180,000	200,000	-
15(2)	Lundeen/Vernon - Intersection	Vernon Rd	-	400,000	Channelization enhancement to improve safety and circulation. May restrict through movement for east-east crossing (Vernon)	X		X	X	40,000		360,000	400,000	-
15(1)	Vernon Road	91st Ave NE	SR 9	935,000	Minor widening to provide for turn movement and improved pedestrian movement	X		X	X	93,500		841,500	935,000	-
D(1C)	SR 92 & Grade Rd RAB	Intersection		4,105,221	Roundabout intersection improvement with gateway treatment	X	X	X	X	410,522		3,694,699	1,026,305	3,078,916
										8,681,028	6,015,164	87,370,148	50,243,537	31,822,804

DRAFT 11-7-13

Chapter 5: Parks, Recreation, & Open Space Element





Chapter 5 – Parks, Recreation and Open Space Element

- 5.9.3 The City shall explore and where appropriate adopt a creative funding strategy which takes advantage of traditional sources, such as capital budgeting, grants, and developer contributions, but also non-traditional sources including, but not limited to volunteers, interlocal agreements, donations, foundations, interjurisdictional partnerships, and other appropriate mechanisms.
- 5.9.4 In developing the park system, encourage donations and dedications, conservation easements, innovative land use contractual agreements and other methods involving foundations, organizations, associations, trusts, developers, landowners, others from the private sector and neighboring and regional governments.
- 5.9.5 Allow fee stewardship programs to be established in conjunction with recognized land conservancies to maintain dedicated natural areas in lieu of permitting homeowner associations to assume such responsibilities (assuming the City does not wish to assume such responsibility).

ADDENDUM NO. 6

TO THE CITY OF LAKE STEVENS INTEGRATED 2005 COMPREHENSIVE PLAN AND FINAL ENVIRONMENTAL IMPACT STATEMENT

**Adoption of One Land Use Map Correction and Text
Revisions to Chapter 1 Introduction, Chapter 5
Transportation Element, Chapter 6 Transportation Element,
Chapter 7 Utilities & Public Services & Facilities Element,
Chapter 8 Capital Facilities Element, Appendices, and
Covers, Footers and Table of Contents
With The 2013 Docket**

And

**2013 Code Housekeeping Amendments
Including One Zoning Map Correction**



Prepared in Compliance with
The Washington State Environmental Policy Act of 1971
Chapter 43.21C Revised Code of Washington
Chapter 197-11 Washington Administrative Code
Lake Stevens Municipal Code Title 16

Date of Issuance: November 8, 2013



November 8, 2013

Dear Reader and Interested Citizen:

Addendum No. 6 to the City of Lake Stevens Integrated 2005 Comprehensive Plan and Final Environmental Impact Statement (FEIS), issued July 17, 2006, has been prepared by the Department of Planning and Community Development.

This addendum provides additional environmental information for the proposed adoption of the following GMA Comprehensive Plan map and text amendments:

- Land Use Map – Map correction to minimally modify boundaries of a stormwater detention facility and neighboring property to share access;
- Chapter 1 Introduction – Remove detailed public process description for each Docket Cycle and include a general process, and add reference to appendix containing SEPA documents;
- Chapter 5 Parks and Recreation Element – Replace entire chapter;
- Chapter 6 Transportation Element – Remove Table 6-1 Street Inventory, and repeal Goal 6.10 and associated policies related to street inventory;
- Chapter 7 Utilities and Public Services and Facilities Element – Update Figure 7.4 to show Snohomish School District boundaries and update Utility Policy 7.3.6 to be consistent with amended underground utilities code;
- Chapter 8 Capital Facilities Element – Add joint planning with Snohomish County for Cavalero Hill Park to Table 8.1 Capital Improvements and park projects based on the updated Parks, Recreation and Open Space Element; and
- Add Appendix M as SEPA Addendum No. 6, update Appendix F with current Six-Year Transportation Infrastructure Program (STIP) and update cover, footers and table of contents.

In addition, this addendum provides additional environmental information for the proposed adoption of 2013 Code Housekeeping Amendments to correct minor code errors and revisions found during code implementation and update code to be consistent with the GMA Comprehensive Plan:

- Chapter 5.16 Commercial Animal Rearing (Kennel) Regulations – change reference from “Planning Commission” to “Planning Director or designee” for who may revoke a permit;
- Chapter 14.04 General Provisions – remove list of administratively adopted documents and reference availability;
- Chapter 14.08 Basic Definitions and Interpretations – add, change or remove five definitions and move Section 14.08.020 to a new section in Chapter 14.36 Zoning Districts and Zoning Map;
- Chapter 14.16A Administration and Procedures – corrections, clarifications and updates in four sections;
- Chapter 14.16B Types of Land Use Review – minor modifications, corrections and additional specificity to seven sections;
- Chapter 14.16C Land Use Actions, Permits and Determinations – removals, corrections, and minor addition to three sections;

ADDENDUM #6 TO INTEGRATED 2005 COMPREHENSIVE PLAN & FEIS

- Chapter 14.18 Subdivisions, Boundary Line Adjustments and Binding Site Plans – minor addition, modification and corrections to three sections;
- Chapter 14.36 Zoning Districts and Zoning Map – remove one reference to acetate maps and minor map correction to “Official Zoning Map”;
- Chapter 14.38 Subarea Plans – minor changes to one table and remove an exception for freestanding signage;
- Chapter 14.40 Permissible Uses – add footnotes and remove two use descriptions to Permissible Uses Table and update two sections;
- Chapter 14.44 Supplementary Use Regulations – clarify or correct six sections;
- Chapter 14.46 Innovative Housing Options Program – remove reference to demonstration program in one section;
- Chapter 14.48 Density and Dimensional Regulations – allow eaves to project into setback, update Density and Dimensional Table, and update four sections;
- Chapter 14.56 Streets and Sidewalks – minor amendments to ensure consistency between Land Use Regulations and Engineering Design and Development Standards in five sections;
- Chapter 14.68 Signs – minor corrections and clarifications to three sections;
- Chapter 14.76 Screening and Trees – minor clarification and correction to two sections;
- Chapter 14.80 Building and Construction – add appeal process for Building Official decisions to the Hearing Examiner
- Chapter 14.88 Critical Areas – minor corrections to four sections;
- Chapter 14.110 Concurrency Management System – correct one code reference; and
- Placeholder for code corrections related to 2012 International Building Codes.

This addendum adds further information to the analysis contained in the FEIS. The document addresses the environmental information specifically related to proposed map and text revisions to the Comprehensive Plan and Code Housekeeping amendments; it does not identify detailed project impacts. Specific project actions will require further detailed environmental review as they are considered for implementation.

Review of the proposed amendments occurred at a Planning Commission public hearing on November 6, 2013 and is scheduled for City Council public hearing on November 25, 2013.

We invite you to comment on the proposed map, text and code revisions during the City review process. Comments regarding the proposed comprehensive plan and code housekeeping amendments may be submitted orally during each hearing or in writing any time prior to the hearing by sending them to City Hall, attn: Russ Wright, PO Box 257, Lake Stevens, WA 98258, or by email at rwright@lakestevenswa.gov.

If you have any questions, please contact Russ Wright at (425) 212-3315 or email above.

Sincerely,



Rebecca Ableman
Planning and Community Development Director

ADDENDUM #6 TO INTEGRATED 2005 COMPREHENSIVE PLAN & FEIS

Fact Sheet

Proposed Non-Project Action:

The proposed non-project action is the adoption by the Lake Stevens City Council of one City-proposed map correction and seven City-proposed text revisions to the City of Lake Stevens Comprehensive Plan as part of the 2013 Docket: Chapter 1 Introduction, Chapter 5 Parks and Recreation Element, Chapter 6 Transportation Element, Chapter 7 Utilities and Public Services and Facilities Element, Chapter 8 Capital Facilities Element, and the Appendices. The GMA requirements contained in Chapter 36.70A RCW are applicable to these plans.

Description of Proposal:

The 2013 Docket contains one map correction and seven text revisions to the City of Lake Stevens Comprehensive Plan Amendments:

- Land Use Map – Map correction to minimally modify boundaries of a stormwater detention facility and neighboring property to share access;
- Chapter 1 Introduction – Remove detailed public process description for each Docket Cycle and include a general process, and add reference to appendix containing SEPA documents;
- Chapter 5 Parks and Recreation Element – Replace entire chapter;
- Chapter 6 Transportation Element – Remove Table 6-1 Street Inventory, and repeal Goal 6.10 and associated policies related to street inventory;
- Chapter 7 Utilities and Public Services and Facilities Element – Update Figure 7.4 to show Snohomish School District boundaries and update Utility Policy 7.3.6 to be consistent with amended underground utilities code;
- Chapter 8 Capital Facilities Element – Add joint planning with Snohomish County for Cavalero Hill Park and a placeholder for park projects to be identified by the Parks and Recreation Element to Table 8.1 Capital Improvements; and
- Add Appendix M as SEPA Addendum No. 6, update Appendix F with current Six-Year Transportation Infrastructure Program (STIP) and update cover, footers and table of contents.

The 2013 Code Housekeeping Amendments to correct minor code errors and revisions found during code implementation and update code to be consistent with the GMA Comprehensive Plan contains one map correction and text revisions to nineteen chapters of the City of Lake Stevens Municipal Code, all in Title 14 Land Use Regulations except one in Title 5 Animal Regulations:

- Chapter 5.16 Commercial Animal Rearing (Kennel) Regulations – change reference from “Planning Commission” to “Planning Director or designee” for who may revoke a permit;
- Chapter 14.04 General Provisions – remove list of administratively adopted documents and reference availability;
- Chapter 14.08 Basic Definitions and Interpretations – add, change or remove five definitions and move Section 14.08.020 to a new section in Chapter 14.36 Zoning Districts and Zoning Map;
- Chapter 14.16A Administration and Procedures – corrections, clarifications and updates in four sections;
- Chapter 14.16B Types of Land Use Review – minor modifications, corrections and additional specificity to seven sections;
- Chapter 14.16C Land Use Actions, Permits and Determinations – removals, corrections, and minor addition to three sections;

ADDENDUM #6 TO INTEGRATED 2005 COMPREHENSIVE PLAN & FEIS

- Chapter 14.18 Subdivisions, Boundary Line Adjustments and Binding Site Plans – minor addition, modification and corrections to three sections;
- Chapter 14.36 Zoning Districts and Zoning Map – remove one reference to acetate maps and minor map correction to “Official Zoning Map”;
- Chapter 14.38 Subarea Plans – minor changes to one table and remove an exception for freestanding signage;
- Chapter 14.40 Permissible Uses – add footnotes and remove two use descriptions to Permissible Uses Table and update two sections;
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- Chapter 14.46 Innovative Housing Options Program – remove reference to demonstration program in one section;
- Chapter 14.48 Density and Dimensional Regulations – allow eaves to project into setback, update Density and Dimensional Table, and update four sections;
- Chapter 14.56 Streets and Sidewalks – minor amendments to ensure consistency between Land Use Regulations and Engineering Design and Development Standards in five sections;
- Chapter 14.68 Signs – minor corrections and clarifications to three sections;
- Chapter 14.76 Screening and Trees – minor clarification and correction to two sections;
- Chapter 14.88 Critical Areas – minor corrections to four sections;
- Chapter 14.110 Concurrency Management System – correct one code reference; and
- Placeholder for code corrections related to 2012 International Building Codes.

RCW 36.70A.130 allows amendments to the Comprehensive Plan once per year with some exceptions. The current proposal is the 2013 Comprehensive Plan Docket with associated Code Housekeeping amendments.

Purpose of the FEIS Addendum:

The purpose of this addendum is to add information and analysis relating to the programmatic City action of adopting minor amendments to six chapters and the appendices of the Comprehensive Plan. This information expands upon previously identified significant impacts of the alternatives to the City’s Integrated 2005 Comprehensive Plan (July 2006) and FEIS (July 17, 2006), as addended, but does not substantially change the analysis. The City has already considered the impacts of the proposed programmatic actions analyzed in this Addendum in the FEIS document. No additional significant impacts beyond those identified in the FEIS are expected to occur. Revisions to the proposal may be considered during the public hearing process. To the extent that the existing environmental documents listed in this Addendum or other published documents have analyzed such changes, no additional programmatic action level environmental review will be required. This Addendum is being issued in accordance with WAC 197-11-625 and WAC 197-11-630. Additional changes to the proposal may be considered during the public hearing process. The following adopted environmental document meets the City of Lake Stevens’ environmental review needs for the current proposal: 2013 Comprehensive Plan Docket and Code Housekeeping Amendments.

ADDENDUM #6 TO INTEGRATED 2005 COMPREHENSIVE PLAN & FEIS

Location of Proposal: City of Lake Stevens and Lake Stevens Urban Growth Area

**Proponent/
Lead Agency:** City of Lake Stevens, P.O. Box 257, Lake Stevens, WA 98258
(425) 377-3235

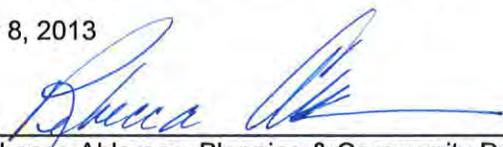
Required Approvals: Adoption of GMA Comprehensive Plan map and text amendments and Code Housekeeping amendments granted by Lake Stevens City Council

Circulation: This Addendum is being sent to all recipients of the previously issued Final EIS and other interested parties.

Comment: No comment period is required for this addendum.

Contact Person: Karen Watkins, Principal Planner
(425) 377-3221 or kwatkins@lakestevenswa.gov

Date of Issuance: November 8, 2013

Responsible Official: Signature: 
Rebecca Ableman, Planning & Community Development Director

Public Hearing: The Planning Commission held a public hearing on the proposed Comprehensive Plan map and text amendments and Code Housekeeping amendments on November 6, 2013. Following receipt of a recommendation from the Planning Commission, the City Council will also hold a public hearing on November 25, 2013 before taking final action.

Documents: The Integrated 2005 Comprehensive Plan and Final Environmental Impact Statement, as addended, and detailed information and analysis are available at the City Planning Department. Electronic copies may be requested from the contact above. The City website also has a copy of the current plan and FEIS at www.lakestevenswa.gov.

SEPA Distribution List

National Marine Fisheries Service
Natural Resource Conservation Service
NOAA Fisheries
NOAA NW Regional Office
U.S. Army Corps of Engineers
U.S. EPA
U.S. Fish and Wildlife Service
WA State Energy Office

Community Transit
Earth Share of WA
Pilchuck Audubon Society
Puget Sound Clean Air Agency
Puget Sound Energy
Puget Sound Water Quality Action Team
Regional Transit Authority
Waste Management NW

City of Everett Public Works
City of Marysville
Greater Lake Stevens Chamber of Commerce
Lake Stevens Historical Society
Lake Stevens Journal
Lake Stevens Library
Marysville School District
Muckleshoot Indian Tribe
Snohomish County Council
Snohomish County Executive
Snohomish County Parks & Recreation
Snohomish County Public Works
Snohomish County School District
Stillaguamish Tribe

Anderson Hunter
Master Builders Association
Snohomish County Camano Assoc. of Realtors

ADDENDUM #6 TO INTEGRATED 2005 COMPREHENSIVE PLAN & FEIS

Seattle Post Intelligencer
The Arlington Times
The Everett Herald
The Seattle Times

Leland Adams
Joyce Bell
Steve Brooks
Jennifer D'Avis-Pederson

Carl Johnson
Bill Ostrowski
Chris Redosivich
Karen Reichenberg
Roger Schollenberger
Marlene Sweet
Terry Van Wyck
George Wood
Kelley Wrigg

Purpose of the Proposal

The Proposed Action is the adoption of the 2013 Docket including one city-initiated map land use correction and seven text amendments to the City of Lake Stevens GMA Comprehensive Plan in accordance with the requirements of the Growth Management Act (GMA) and Code Housekeeping amendments, including a zoning map correction. Statutory requirements of GMA allow amendments to a Comprehensive Plan "no more frequently than once per year" (RCW 36.70A.130(2)(a)) except when in specific circumstances.

SEPA Procedures and Public Involvement

Purpose of the Addendum

The purpose of this Addendum is to add analyses and information about a proposal, but does not substantially change the analysis of significant impacts and alternatives in the existing environmental document (WAC 197-11-600(4)(c)). The proposed revision does not introduce new significant impacts from those identified in the FEIS. The City of Lake Stevens is issuing this addendum to the FEIS for the purpose of supplying additional information about the proposals and their impacts beyond those contained in the FEIS. This Addendum should assist the public and agency decision-makers in considering the granting or denial of the proposed map and text amendments to the Comprehensive Plan and Code Housekeeping amendments.

Programmatic Analysis

This Addendum is for the 2013 Comprehensive Plan Docket and Code Housekeeping Amendments. The adoption of comprehensive plans, or other long-range planning activities, is classified by SEPA as a non-project (i.e., programmatic) action. A non-project action is defined as an action that is broader than a single site-specific project, and involves decisions on policies, plans or programs. A SEPA document for a non-project proposal does not require site-specific analyses; instead the Addendum discusses additional analysis and information appropriate to the scope of the non-project proposal and to the level of planning for the proposal (WAC 197-11-442).

Phased Review

SEPA encourages the use of phased environmental review to focus on issues that are ready for decision, and to exclude from consideration issues already decided or not yet ready for decision-making (WAC 197-11-060 (5)). Phased review is appropriate where the sequence of a proposal is from a programmatic document, such as an EIS addressing a comprehensive plan, to other documents that are narrower in scope, such as for a site-specific, project-level analysis. The City of Lake Stevens is using phased review, as authorized by SEPA, in its environmental review of growth management planning actions. The analysis in this Addendum will be used to review the environmental impacts of the proposed Comprehensive Plan Amendment proposals and Code Housekeeping Amendments.

ADDENDUM #6 TO INTEGRATED 2005 COMPREHENSIVE PLAN & FEIS

Public Comment

No comment period is required for the Addendum. The following public participation is scheduled as part of the 2013 Docket to gain public input:

- Planning Commission Public Hearing – November 6, 2013
- City Council Public Hearing – November 25, 2013

Proposed Action, Alternatives, and Objectives

Proposed Action

The proposed action is the granting or denial of one map correction and seven text amendments to the City of Lake Stevens Comprehensive Plan and Code Housekeeping amendments. The proposed amendments are provided below using strikeouts and underlines for the text amendments. Each chapter amendments will be treated as a separate alternative because each proposal is reviewed individually and a determination is made on the granting or denial of each proposal by the Planning Commission and City Council. The Code Housekeeping Amendments will be reviewed as one although any proposed amendments may be removed from the ordinance by the City Council.

Objectives of the Proposal

The principal objective of the proposed map and text amendments is to update the Comprehensive Plan based on new information and to correct minor code errors and revisions found during code implementation and update code to be consistent with the Comprehensive Plan.

Matrix of Impacts and Mitigation Measures

In order to retain consistency in the description and analysis of impacts, this Addendum is using a similar matrix of impacts. Only additional information or analysis not covered in the FEIS matrix, but required for the Comprehensive Plan map and text amendments and Code Housekeeping amendments, is included on the attached matrix.

ADDENDUM #6 TO INTEGRATED 2005 COMPREHENSIVE PLAN & FEIS

This is a summary of the proposed amendments to the City of Lake Stevens Comprehensive Plan for the 2013 Docket and Code Housekeeping Amendments. During the review and discussion of these amendments, there could be minor revisions or additions before final adoption by the City Council.

MAP CORRECTION

2013 City-Initiated Land Use Map Amendment Request #M-1, which corrects the Official Land Use Map (Figure 4.1 Land Use Map) by amending the boundaries for the land use designation of “P/SP” on Parcel No. 29061900302700 (XXXXX 20th Street SE, Lake Stevens) and land use designation of “MU” on Parcel No. 29061900301200 (10227 20th Street SE, Lake Stevens) due to equal acreage of dedication and vacation changing boundaries only and not changing total acreage in each designation and set forth as shown in map and record of survey. The boundary change is a map correction and does not require a concurrent site-specific rezone, but does include a concurrent Official Zoning Map correction.

TEXT AMENDMENTS

2013 City-Initiated Text Amendment Request #T-1 (Chapter 1 Introduction) which updates the section entitled “Public Process for Docket Cycles” on pages 1-7 through 1-9 for the 2013 amendments so simplify the section and remove the separate docket cycle public meeting tables; and updates the Environmental Review section with the 2013 environmental process on page 1-29, of the Comprehensive Plan:

Pages 1-7 to 1-9 – Simplify section by removing separate docket cycle public meeting schedules.

Public Process for Docket Cycles

The Annual((2007)) Docket Cycles included the following meetings for public participation during the adoption process for Plan amendments:

<u>Annual</u> ((2007)) <u>Docket Ratification</u>	
((April 30	Planning Commission Meeting
June 20	Planning Commission Hearing/Set Final Docket
July 16	City Council Workshop/ <u>Briefing</u>
July 23))	City Council Ratification of Final Docket
<u>Annual</u> ((2007)) <u>Adoption of Amendments</u>	
((November 7	Planning Commission Public Hearing <u>& Recommendation to City Council on Adoption of Amendments</u>
December 3	City Council Workshop/ <u>Briefing</u>
December 5	((Planning Commission Adopt Amendments)) <u>Hearing Examiner Public Hearing for Associated Rezone, if required</u>
December 10	City Council Public Hearing
December 17	City Council Adoption of Amendments <u>& Rezones</u>
December 31))	Amendments Effective

~~((The 2008 Docket included the following meetings for public participation during the adoption process for Plan amendments:~~

<u>2008 Docket Ratification</u>	
June 4	Planning Commission Meeting
July 2	Planning Commission Hearing/Set Final Docket
August 4	City Council Workshop
August 11	City Council Ratification of Final Docket
<u>2008 Adoption of Amendments</u>	

ADDENDUM #6 TO INTEGRATED 2005 COMPREHENSIVE PLAN & FEIS

October 1	Planning Commission Public Hearing
November 5	City Council Workshop
November 17	Planning Commission Adopt Amendments
November 24	City Council Public Hearing & Adoption of Amendments
December 8	Amendments Effective

The 2009 Docket included the following meetings for public participation during the adoption process for Plan amendments:

2009 Docket Ratification

March 4	Planning Commission Hearing/Set Final Docket
March 16	City Council Workshop
March 23	City Council Ratification of Final Docket

2009 Adoption of Amendments

May 4	City Council Workshop
May 6	Planning Commission Public Hearing
May 11	City Council Public Hearing & Adoption of Amendments
May 25	Amendments Effective

The 2010 Docket included the following meetings for public participation during the adoption process for Plan amendments:

2010 Docket Ratification

May 5	Planning Commission Hearing/Set Final Docket
May 24	City Council Ratification of Final Docket

2010 Adoption of Amendments

July 7	Planning Commission Public Hearing
July 19	City Council Workshop
July 26	City Council Public Hearing & Adoption of Amendments
August 9	Amendments Effective

The 2011 Docket included the following meetings for public participation during the adoption process for Plan amendments:

2011 Docket Ratification

September 7	Planning Commission Hearing/Set Final Docket
September 26	City Council Ratification of Final Docket

2011 Adoption of Amendments

October 24	City Council Briefing
November 2	Planning Commission Public Hearing
November 28	City Council Public Hearing & Adoption of Amendments
December 12	Amendments Effective

The 2012 Docket included the following meetings for public participation during the adoption process for Plan amendments:

2012 Docket Ratification

September 5	Planning Commission Hearing/Set Final Docket
September 24	City Council Ratification of Final Docket

2012 Adoption of Amendments

ADDENDUM #6 TO INTEGRATED 2005 COMPREHENSIVE PLAN & FEIS

October 22	City Council Briefing
October 25	Hearing Examiner Public Hearing for Associated Rezone
November 7	Planning Commission Public Hearing
December 10	City Council Public Hearing & Adoption of Amendments & Rezone
December 24	Amendments Effective))

The Lake Stevens Center Subarea Plan and 20th Street SE Corridor Subarea Plan had separate and combined public participation processes. Each subarea plan includes a Public Process Summary as an appendix. The summary includes a list of public meetings, open houses, public hearings, document issuance dates, etc., held to elicit comments from the public on the Planned Actions, environmental impact statements, subarea plans, capital facilities plan, development regulations, design guidelines, and zoning map and land use map changes. Public comments and responses on the draft environmental impact statements are included in the Final EIS.

Page 1-29 – Add sentence to end of “Environmental Review” Section to reference SEPA Addendum No. 6.

B. Environmental Review

A complete environmental review can be found in **Appendix A** of the Comprehensive Plan. Comments on the environmental analysis were gathered at the same time the overall Plan was circulated for public review. Adjustments were made based on comments received. The result is a Comprehensive Plan that responds to environmental goals of the community and complies with the State Environmental Policy Act. An addendum to the Final Environmental Impact Statement for the 2007 Docket was issued on November 16, 2007 and is included in **Appendix B**. An addendum to the Final Environmental Impact Statement for the 2008 Docket was issued on October 10, 2008 and is included in **Appendix G**. A Determination of Nonsignificance and Adoption of Existing Environmental Documents for the 2009 Docket was issued on March 25, 2009 and is included in **Appendix H**. An addendum to the Final Environmental Impact Statement for the 2009 revisions to the Capital Facilities Plan with amendment of the 2009 City Budget was issued on October 12, 2009 and is included in **Appendix I**. A Determination of Nonsignificance and Adoption of Existing Environmental Documents for the 2010 Docket was issued on July 7, 2010 and is included in **Appendix J**. Addendum No. 4 to the Integrated 2005 Comprehensive Plan and Final Environmental Impact Statement for the 2011 Docket was issued on October 19, 2011 and is included in **Appendix K**. Addendum No. 5 to the Integrated 2005 Comprehensive Plan and Final Environmental Impact Statement for the 2012 Docket was issued on October 12, 2012 and Adoption of Existing Environmental Documents for the Lake Stevens School District Capital Facilities Plan 2012-2017 was issued on October 19, 2012 and are included in **Appendix L**. Addendum No. 6 to the Integrated 2005 Comprehensive Plan and Final Environmental Impact Statement for the 2013 Docket was issued on October 29, 2013 and is included in **Appendix M**.

Draft and final environmental impact statements were issued for each subarea plan (20th Street SE Corridor and Lake Stevens Center) during the Subarea Planning Process. The documents included analysis of the subarea plans, planned actions, capital facilities plan, development regulations, design guidelines, zoning and land use map amendments, land use code amendments, and comprehensive plan amendments.

2013 City-Initiated Text Amendment Request #T-3 (Chapter 5 Parks and Recreation Element), which replaces the entire chapter with the updated Parks and Recreation Plan, of the Comprehensive Plan by adopting the amended Chapter as attached in **Exhibit A**.

2013 City-Initiated Text Amendment Request #T-4 (Chapter 6 Transportation Element), which amends the chapter by repealing Goal 6-10 on pages 6-23 to 6-24 related to Table 6-1 Street Inventory and removing Table 6-1 “Street Inventory” on pages 6-26 to 6-44, of the Comprehensive Plan by adopting the amendments below:

Page 6-23- 6-24 – repeal Goal 6.10 and associated policies related to Table 6-1 “Street Inventory” as Table 6-1 is not necessary to publish as part of the Comprehensive Plan.

GOAL 6.10 REPEALED IN 2013 DOCKET((UPDATE TRANSPORTATION ELEMENT OF THE COMPREHENSIVE PLAN TO VERIFY THE EXISTING ROAD INVENTORY AND UPDATE WITH NEW INVENTORY GENERATED FROM ANNEXED AREAS.

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Policies

- 6.10.1 ~~— The City will perform a review of the existing Street Inventory in Table 6-1. Corrections and additions regarding the names and locations will be made to make the current.~~
- 6.10.2 ~~— Table 6-1 will be updated with the newly acquired roads from Snohomish County resulting from the Frontier Village, Soper Hill, Chapel Hill Fire District, and other annexations occurring before the next comprehensive plan docket cycle.~~
- 6.10.3 ~~— The City will perform a field evaluation to update and verify the classifications and conditions for all the roads in Table 6-1 in effort to obtain current and accurate information.))~~

Pages 6-26 to 6-44 – remove Table 6-1 Street Inventory.

2013 City-Initiated Text Amendment Request #T-5 (Chapter 7 Utilities & Public Services & Facilities Element), which updates the Figure 7.4 “Lake Stevens School District #4 Service Area” by adding the Snohomish School District boundaries on Page 7-10 and updates the Policy 7.3.6 to be consistent with the recently adopted amended underground utilities code (Ordinance No. 888) on page 7-22 of the Comprehensive Plan by adopting the amendments below:

Page 7-10 – update Figure 7.4 “Lake Stevens School District #4 Service Areas” with the Snohomish School District Boundaries and rename to “School District Service Areas”.

Page 7-22 – update Utility Policy 7.3.6 for consistency with recently amended underground utilities code.

GOAL 7.3 PROCESS PERMITS FOR UTILITY FACILITIES IN A FAIR AND TIMELY MANNER AND IN ACCORD WITH THE DEVELOPMENT REGULATIONS WHICH ENCOURAGE PREDICTABILITY.

Policies

- 7.3.1 The City shall promote co-location of new public and private utility distribution facilities and coordination of construction timing to minimize construction-related disruptions and reduce the cost to the public of utility delivery.
- 7.3.2 The City will provide timely and effective notice to utilities to encourage coordination of public and private utility trenching activities for new construction and maintenance and repair of existing roads.
- 7.3.3 The City shall encourage provision of an efficient, cost effective and reliable utility service by ensuring land will be made available for the location of utility lines or other utilities.
- 7.3.4 The City will promote the extension of distribution lines to and within the urban growth area. Coordinate land use and facility planning to allow eventual siting and construction of any utility distribution lines within or adjacent to rights-of-way which are being dedicated or within roads which are being constructed or reconstructed.
- 7.3.5 The City shall review and amend existing regulations as necessary, including the critical areas ordinance, to allow maintenance, repair, installation and replacement of utilities.
- 7.3.6 The City will require underground utilities in all new developments, except:
- (a) If the Public Works Director determines that an underground system cannot reasonably be installed according to accepted engineering practices or undergrounding would adversely impact services not adjacent to the proposed site;
 - (b) For aboveground utility lines located along the following roadways:
 - (i) State Route 9,
 - (ii) State Route 92,

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- (iii) State Route 204,
- (iv) Lundeen Parkway from SR 9 to Callow Road,
- (v) 20th Street NE except between 118th Avenue NE and 127th Avenue NE,
- (vi) Grade Road, and
- (vii) 20th Street SE; or
- (c) Power lines carrying a voltage of 15 kV or more.

- 7.3.7 The City shall encourage system design practices intended to minimize the number and duration of interruptions to customer service.
- 7.3.8 The City will continue to work with the Lake Stevens Sewer District to review and amend existing regulations to provide commonality, consistency, predictability and concurrent levels of sewer permits and regulation.
- 7.3.9 The City will cooperatively develop new regulations, as required or needed to further the purposes and goals of the Unified Sewer Service and Annexation Agreement and area-wide systems of sewer service.

2013 City-Initiated Text Amendment Request #T-6 (Appendices), to add a new Appendix M with the SEPA Addendum No. 6 of the Integrated 2005 Comprehensive Plan and Environmental Impact Statement and update Appendix F with the current Six-Year Transportation Improvement Program.

2013 City-Initiated Text Amendment Request #T-7 (Cover, Footers and Table of Contents), to update the Cover, Footers and Table of Contents, of the Comprehensive Plan, by adopting the amendments required after making amendments.

2013 City-Initiated Text Amendment Request #T-8 (Chapter 8 Capital Facilities Element), to update Table -1 Capital Improvements, 2012 – 2032 for Parks, of the Comprehensive Plan, by adopting the amendments below:

PROJECT			COST	YEAR/S	Local	State/Fed	Mitigation	Dev Imp
Table 8-1 – Capital Improvements, 2013 – 2033								
<u>PARKS*</u>								
<u>Planning</u>								
<u>Joint Planning with Snohomish County for Cavalero Community Park Master Plan</u>			<u>5,000</u>	<u>2014-2015</u>			<u>X</u>	
Master plan for trails, paths and pedestrian facilities								
<u>Master open space plan for the various downtown open spaces</u>								
<u>Wayfinding plan in conjunction with economic development efforts</u>								
<u>Acquisition</u>								
<u>Purchase rights-of-way/easements for multi-use trails in the power line corridor.</u>								
<u>Purchase rights-of-way pedestrian paths and sidewalks around the lake.</u>								
<u>Identify locations for two new public neighborhood level parks in southern part of City, near 20th Street SE and purchase</u>								

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<u>for future development</u>								
<u>Identify additional shoreline properties for purchase as available</u>								
<u>Development</u>								
<u>Complete construction of Phases 1 and 2 of the Eagle Ridge Master Plan</u>								
<u>Construct northern segment of power line trail</u>								
<u>Construct northern segment of power line trail</u>								
<u>Park Improvements / Maintenance</u>								
<u>Repair existing soft trails at Catherine Creek Park and Centennial Woods.</u>								
<u>Develop a trail connection from Downtown Lake Stevens to the Centennial Trail with a new trailhead at Hartford Rd</u>								

CODE HOUSEKEEPING AMENDMENTS

5.16.080 Permit May be Denied or Revoked.

- A. No person who has been convicted of cruelty to animals shall be issued a permit to operate a commercial animal-rearing site. Any such permit which has been issued will be automatically revoked upon proof of conviction of the holder for cruelty to animals.
- B. The Planning ~~Director or designee~~~~((Commission))~~ may revoke any permit under this chapter if the person holding the permit refuses or fails to comply with the ordinance codified in this title, or any law governing the protection and keeping of animals, or if the person holding a permit has withheld or falsified any information on the application for such permit. Such revocation of permit shall not affect the permit holder’s liability to prosecution under this title.

14.04.120 Adoption of Supporting Administrative Guidelines.

- (a) City departments may administratively adopt guidelines, standards, reference materials, forms, or other documents that aid the public, applicant, staff, or decision-maker in interpreting and administering this document.
- (b) ~~((The titles of t))~~ Those documents administratively adopted per subsection (a) of this section shall be on file with the Planning and Community Development Department. ~~((and shall include the following documents:~~
- ~~(1) Information required with applications;~~
 - ~~(2) Guide of Landscaping (Administrative Policy No. 1995-3);~~
 - ~~(3) Residential Development Handbook for Snohomish County Communities;~~
 - ~~(4) Transportation Impact Analysis Guidelines (TIAG) (Administrative Policy No. 1995-5);~~
 - ~~(5) Streets and Sidewalks Design Standards Deviations Procedures (Administrative Policy No. 2006-01);~~
 - ~~(6) SEPA Exemption Threshold Levels for Grading Activities (Administrative Policy No. 2008-06);~~
 - ~~(7) Lot Line Consolidation (Administrative Policy No. 2009-1);~~
 - ~~(8) State Department of Ecology’s 2005 Stormwater Management Manual for Western Washington, as amended by Sections 1-6 of Appendix 1 of the NPDES Phase II Municipal Stormwater Permit; and~~
 - ~~(9) Engineering Design and Development Standards (EDDS).~~
- ~~(c) A copy of all administrative guidelines adopted pursuant to this section shall be on file with the Planning Department permit counter and may be inspected by interested parties during regular business hours of the department.))~~

LSMC Section 14.08.010 entitled “Definitions of Basic Terms” is amended

- *Access Tract.* A privately-owned tract of land used primarily for ingress/egress for four or fewer dwelling units~~((one or more lots))~~.

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- *Road, Private.* A privately maintained easement or parcel created to provide vehicle access from a public road to one or more lots or units.
- *Impervious Surface.* A hard surface area which either prevents or retards the entry of water into the soil mantle as it entered under natural conditions prior to development, and/or a hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roofs, walkways, patios, driveways, parking lots, storage areas, areas which are paved, graveled or made of packed or oiled earthen materials, or other surfaces which similarly impede the natural infiltration of surface and stormwater. Open, uncovered retention/detention facilities shall not be considered as impervious surfaces for the purpose of this chapter.
- deleting the definitions for “Year Round Driving Surface” and “Vehicular Access Easement or Tract”.

14.36.120((14.08.020)) Lots Divided by District Lines.

- (a) Whenever a single lot one acre or less in size is located within two or more different zoning districts, the district regulations applicable to the district within which the larger portion of the lot lies shall apply to the entire lot.
- (b) Whenever a single lot greater than one acre in size is located within two or more different zoning districts, each portion of that lot shall be subject to all the regulations applicable to the district in which it is located.

14.16A.130 Construction Plan Review.

- (a) The purpose of this section is to establish procedures for reviewing site construction plans for site improvements. Site construction drawings are engineering documents that are required for improvements to a particular site.
- (b) Public Works Construction Plan Approval.
 - (1) Upon receipt of approval of a land use permit or preliminary subdivision, the applicant is required to apply for construction plan approval relating to following elements: on-site and off-site stormwater management, erosion control measures, public road and frontage improvements, dedication or deeding of right-of-way, street trees and other required landscaping elements, utilities, and any other improvement related to the development.
 - (2) The application for construction plan approval shall include a completed construction plan review((master)) application form, plans and materials as outlined in the construction plan submittal checklist((master use application and related checklists)), and fee as set by Council resolution.
 - (3) The applicant is required to obtain approvals from the Postmaster and utility purveyors.
 - (4) Following approval of the construction plans and prior to any site work, the applicant shall schedule a pre-construction meeting with the Public Works Department. All contractors, subcontractors and utility representatives are to meet to discuss any issues related to the construction activity and minimizing impacts to the neighborhood and nearby facilities.
 - (5) Pursuant to Section 14.16A.180(b), the Public Works Director may require a performance security to be in place before construction activities are commenced.
- (c) Public Improvements Required Before Occupancy or Final Plat. Final plat approval or certificate of occupancy shall not be granted unless the required public improvements have been installed and accepted by the Public Works Department or the subdivider has provided a completion security pursuant to Section 14.16A.180(c) to ensure that all of these requirements will be fulfilled within not more than 12 months after final plat approval or until half of the dwelling units within the plat or phase are issued building permits, whichever comes first. Replacement trees to be located on public property must be planted prior to final plat approval. Replacement trees to be located on a private lot must be installed prior to issuing a final inspection or certificate of occupancy for that lot.
- (d) Dedication of Public Stormwater Facilities. Stormwater facilities shall be dedicated to the City at the completion of development. Private and commercial stormwater facilities remain the responsibility of the property owner(s).
- (e) Maintenance of Dedicated Facilities Until Acceptance. Facilities intended to be dedicated to the City shall be maintained by the owner until such time as the dedication is accepted by the City.
- (f) Protection Against Defects.
 - (1) Whenever public improvements are to be dedicated to the City, the developer shall post a maintenance bond or other sufficient surety pursuant to Section 14.16A.180(d) to guarantee that the developer will correct all defects in such facilities or improvements that occur within two years after the acceptance of dedication of the improvements.
 - (2) An architect or engineer retained by the developer shall certify to the City that all facilities and improvements to be dedicated to the City have been constructed in accordance with the requirements of this chapter.

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This certification shall be a condition precedent to acceptance by the City of the offer of dedication of such facilities or improvements.

(3) For purposes of this section, the term “defects” refers to any condition that requires repairs over and above the normal amount of maintenance required for a particular improvement.

(g) Authorizing Use and/or Occupancy Before Completion of Development Under Land Use Permits. When weather conditions or other factors beyond the control of the permittee (exclusive of financial hardship) make it unreasonable for the permittee to comply with all of the requirements of the permit (exclusive of subdivision approvals), the Planning Director may authorize the commencement of the intended use or the occupancy of buildings, if the permit recipient provides a performance bond or other security to ensure that all of these requirements will be fulfilled within a reasonable period (not to exceed 12 months) and if the Building Official finds that such occupancy will not result in a safety or health hazard.

Table 14.16A-I: Classification of Permits and Decisions

Type of Review	Land Use Actions and Permits	Recommendation By	Public Hearing Prior to Decision	Permit-Issuing Authority	Administrative Appeal Body & Hearing
TYPE I Administrative without Public Notice	<ul style="list-style-type: none"> • Administrative Design Review • Administrative Modifications • Boundary Line Adjustments • Change of Use • Code Interpretations • Events • Floodplain Development Permits • Grading Permit • Home Occupations • Master Sign Program • Reasonable Use Exceptions • Shoreline Exemptions • Signs • Temporary Uses 	None	None	Department director or designee	Hearing Examiner, except shoreline permits to State Shoreline Hearings Board, & Open Record
TYPE II Administrative with Public Notice	<ul style="list-style-type: none"> • Administrative Conditional Use (formerly Special Use) • Binding Site Plans • Planned Action Certification • SEPA Review (early or when not combined) 	None	None	Planning Director or designee	Hearing Examiner, except shoreline permits to State Shoreline Hearings Board, & Open Record

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	<ul style="list-style-type: none"> with another permit or required for a Type I permit) • Shoreline Substantial Developments • Short Plats – <u>Preliminary or Final</u> • Short Plat Alterations • Short Plat Vacations • Site Plan Reviews 				
TYPE III Quasi-Judicial, Hearing Examiner	<ul style="list-style-type: none"> • Conditional Uses • Preliminary Plats • Shoreline Conditional Uses • Shoreline Variances • Variances 	Design Review Board (if required)	Open Record	Hearing Examiner	Superior Court, except shoreline permits to State Shoreline Hearings Board, & Closed Record
TYPE IV Quasi-Judicial, City Council with Hearing Examiner Recommendation	<ul style="list-style-type: none"> • Essential Public Facilities • Planned Neighborhood Developments • Rezone - Site-Specific Zoning Map Amendments • Secure Community Transition Facilities 	Hearing Examiner with Open Record Hearing	Closed Record	City Council	None, appeal to Superior Court
TYPE V Quasi-Judicial, City Council	<ul style="list-style-type: none"> • Final Plats* • Plat Alterations • Plat Vacations • Right-of-Way Vacations 	Design Review Board (if required)	Open Record <u>*Public meeting only for Final Plats</u>	City Council	None, appeal to Superior Court
TYPE VI Legislative, City Council with Planning Commission Recommendation	<ul style="list-style-type: none"> • Comprehensive Plan Amendments, Map & Text • Development Agreements • Land Use Code Amendments • Rezones - Area-Wide Zoning Map Amendments 	Planning Commission with Open Record Hearing	<u>Open</u> ((Closed)) Record	City Council	Growth Management Hearings Board & Closed Record

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14.16A.225 Noticing Requirements.

(a) Mailed Notices and Postcard Notices.

(1) Mailings shall include a mailed notice or postcard notice to owners of real property within 300 feet of the project site, or 20 property owners (whichever results in more property owners being noticed), including the project name and number and the following information. Mailings may provide a website address where detailed information is available for viewing. Mailings shall include the following information or Internet addresses to the following information:

- (i) The date of application and the date of the notice of application;
- (ii) A description of the proposed project action and a list of the project permits included in the application and, if applicable, a list of any studies requested under RCW [36.70B.070](#);
- (iii) The identification of other permits not included in the application, to the extent known by the City;
- (iv) The identification of existing environmental documents that evaluate the proposed project, and, if not otherwise stated on the document providing notice of application, the location where the application and any studies can be reviewed;
- (v) A statement of the limits of the public comment period;
- (vi) A statement of the right of any person to comment on the application, receive notice of and participate in any hearings, request a hearing, if applicable, request a copy of the decision once made, and any appeal rights;
- (vii) The date, time, place and type of meeting or hearing, if applicable and if it is scheduled at the date of notice of the application;
- (viii) A statement of the preliminary determination of consistency, if one has been made at the time of notice, and of those development regulations that will be used for project mitigation;
- (ix) A map depicting the boundaries of the project site and, when applicable, a site map showing the proposal or website address where maps can be viewed;
- (x) A statement announcing the City's goal of complying with the intent of the Americans with Disabilities Act, announcing accessibility, offer of assistance to persons with special needs, and availability of TDD services;
- (xi) Any other information determined appropriate by the City, such as the City's threshold determination, if complete at the time of issuance of the notice of application.

(2) Mailings will be sent to adjacent jurisdictions if the proposed development is within one-quarter mile of the jurisdiction's boundary; the State Department of Transportation if the proposed development is adjacent to a state highway; and to all other agencies with jurisdiction.

(3) Mailings shall also include the mailed or emailed notice of application or postcard notice including at least the information required in subsection (a)(1) of this section to each person who has requested such notice.

(4) No proceeding of any procedure established in this chapter shall be found to be invalid for failure to provide mailed notice as required in this section as long as the other methods of notice have met their respective requirements and there was a good faith attempt to comply with the mailed notice requirements.

(5) The records of the Snohomish County Assessor's Office or title company shall be used for determining the property owner of record. Addresses for a mailed notice required by this code shall be obtained from the Snohomish County real property tax records.

(6) All public notices shall be deemed to have been provided or received on the date the notice is deposited in the mail or personally delivered, whichever occurs first.

(b) Posted Notices.

(1) On-Site Posting. At least one public notice board shall be posted on the site on each public right-of-way fronting on the site. The sign shall be erected in a manner that is accessible and easy to read by the general public. The Planning Director shall establish standards for size, color, layout, design, wording and placement of the notice boards, which generally shall consist of the items listed in subsection (a)(1) of this section. The Department of Planning and Community Development will provide prepared signs for on-site posting to the applicant. The applicant is responsible for posting the on-site notice and submitting a signed affidavit of on-site posting with a photo of each on-site notice.

(2) Public Posting. A public notice shall also be posted on the official notice board at City Hall.

(3) Special Posting for Major Land Use Actions. In addition to the general notice requirements set forth in subsections (a) and (b)(1) of this section, major land use actions shall comply with the following extraordinary signage requirements (see Section 14.16B.315(d)(3)):

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(i) Sign Size and Placement. Each sign shall be ~~two~~~~(four)~~ feet by ~~two and a half~~~~(eight)~~ feet in size, placed no closer than five feet from the right-of-way, visible from each public street on which the subject property has frontage, and placed outside the sight distance triangle.

(ii) Content of Notice. Signs shall be prepared using templates or attachable letters. Hand lettered signs are not acceptable. The required sign shall include:

- a. The title "Notice of Land Use Application";
 - b. A graphic or written description of the site boundaries;
 - c. Type of action/application (preliminary plat, etc.);
 - d. The date of public hearing;
 - e. The name and telephone number of the Department of Planning and Community Development;
 - f. City of Lake Stevens logo;
 - g. Other information as the Planning Director may determine to be necessary to adequately notify the public of the pending land use application.
- (iii) Responsibility for Installation and Removal.
- a. The applicant shall be solely responsible for the construction, installation, and removal of the sign(s) and the associated costs.
 - b. The sign(s) shall be erected at least 10 days prior to the public hearing. The applicant shall sign an affidavit, stating that the sign(s) were installed and the date and posting of property. Photos of each sign shall also be submitted with the affidavit.
 - c. The sign(s) shall be removed immediately following final action by the Hearing Examiner.
 - d. If the sign is removed prior to the final action, the applicant is responsible for immediate replacement of the sign.

(c) Responsibility for Notice. The Planning Director is responsible for providing published legal notices, mailed notices, and posted notices at City Hall. The applicant is responsible for complying with on-site posted notice requirements.

14.16A.250 Expiration of Approvals and Approved Permits.

(a) Land use approvals/permits other than subdivisions or shoreline permits shall expire automatically within one year after the issuance of such permits, if:

(1) The use authorized by such permits has not commenced, in circumstances where no substantial construction, excavation or demolition is necessary before commencement of such use; or

(2) Less than 10 percent of the total cost of all construction, excavation or demolition of the approved development has been completed.

(b) Land use permits other than subdivisions shall also expire automatically if construction, grading or excavation is commenced but such work is discontinued for a period of one year.

(c) Shoreline Development Permits. Construction activities shall be commenced or, where no construction activities are involved, the use or activity shall be commenced within two years of the effective date of a substantial development permit. However, the City may authorize a single extension for a period not to exceed one year based on reasonable factors, if a request for extension has been filed before the expiration date and notice of the proposed extension is given to parties of record on the substantial development permit and to the Department of Ecology.

[RCW [90.58.143](#)(2)]

(d) For land use permits other than preliminary short subdivisions, subdivisions and sign permits:

(1) The Planning Director may grant one six-month extension to a permit upon showing proper justification, if:

- (i) The extension is requested at least 30 calendar days before the permit expires;
- (ii) The permittee has proceeded with due diligence and in good faith; and
- (iii) The zoning designation of the property has not changed.

(2) Proper justification consists of one or more of the following conditions:

- (i) Economic hardship;
- (ii) Change of ownership;
- (iii) Unanticipated construction and/or site design problems;
- (iv) Other circumstances beyond the control of the applicant and determined acceptable by the appropriate department director.

(e) Preliminary short subdivision and subdivision approvals shall expire automatically if, within five years after the issuance of such approvals:

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- (1) The final plat or short plat has not been submitted to the City for approval; or
- (2) An extension has not been granted. The Planning Director may approve a single one-year original extension to the approval, if:
 - (i) The request was delivered in writing to the Planning Department at least 30 calendar days prior to the approval's expiration and meets one of the proper justifications listed in subsection (d)(2) of this section;
 - (ii) The permittee has proceeded with due diligence and in good faith to complete the plat; and
 - (iii) Conditions have not changed so substantially as to warrant a new application.
- (f) Additional Extension of Original Approvals for Preliminary Short Subdivisions, Preliminary Subdivisions, Conditional Use Permits, Special Use Permits, Zoning Permits, and Site Plans.
 - (1) After requesting and receiving the original(~~normal~~) permit extension provided in subsection (d) or (e) of this section, a permittee or his or her successors may request of the Planning Director (~~(60 days)~~) six months prior to expiration of permit extension a (~~(one-time,)~~)one- or two-year extension as provided in subsections (f)(3) and (4) of this section for an extension above the original extension request in subsection (e), provided all other requirements of this section are met including:
 - (i) Filing with the Planning Director a sworn and notarized declaration that substantial work has not commenced as a result of adverse market conditions and an inability of the applicant to secure financing;
 - (ii) Paying applicable permit extension fees;
 - (iii) Paying all outstanding invoices for work performed on the permit review; and
 - (iv) There are no substantial changes in the approved plans or specifications.
 - (2) The total combined time period for any preliminary short subdivision or preliminary subdivision may be extended by the Planning Department under Section [14.16A.250](#) and shall not exceed a total extension of (~~(three)~~)two years for a total of seven years approval; except for approvals dated on or before December 31, 2007 shall not exceed a total extension of five years by requesting additional one-or two-year extensions. The total combined time period for any conditional use permit, special use permit, zoning permit, or site plan may be extended by the department under Section [14.16A.250](#) and shall not exceed a total extension of one and a half years.
 - (3) The one-year original extension of preliminary short subdivisions and preliminary subdivisions established in subsection (e) of this section may be further extended by up to an additional four years for original approvals prior to December 31, 2007 and up to an additional two years for original approvals prior to March 31, 2010. Associated permit approvals before December 31, 2014(~~March 31, 2010~~), including construction plans, clearing and grading permits, rezones, right-of-way construction, sidewalk and street deviations, and building permits shall be automatically extended for the same period subject to subsection (f)(~~2~~(~~5~~)) of this section.
 - (4) The six-month extension of conditional use permits, special use permits, zoning permits, and site plans established in subsection (d) of this section may be further extended by up to an additional one year for original approvals prior to March 31, 2010. Associated permit approvals before March 31, 2010, including construction plans, clearing and grading permits, rezones, right-of-way construction, sidewalk and street deviations, and building permits shall be automatically extended for the same period subject to section (f)(5) of this section.
 - (5) Related shoreline development permit time requirements may not be extended past the allowed limits in WAC [173-27-090](#) and RCW [90.58.143](#).
 - (6) Permits are vested to the codes in effect at the time of original approval.
- (g) Construction Plan Approvals.
 - (1) Construction plans for projects reviewed under the development code shall be approved for a period of 60 months from the date the City signs the plans or until expiration of the preliminary plat, preliminary short plat, binding site plan, conditional use permit, or site plan approval. If the construction plan is not connected to another permit, it shall expire in one year with one six-month extension allowed.
 - (2) The City may grant an extension of up to 12 months, if substantial progress has been made by the applicant to complete construction of the approved project. Extensions shall be considered on a case-by-case basis by the Public Works Director or designee and will require a letter to be submitted to the City requesting the extension at least 30 calendar days prior to the approval's expiration. Said letter shall demonstrate that the project has made substantial construction progress, the reason for the extension request, and an estimated timeline for completion of construction.
 - (3) When the approval period or any extension thereof expires, the City's approval of the construction plans shall be deemed automatically withdrawn. In order to receive further consideration by the City after such expiration and automatic withdrawal, construction plans must be re-submitted and must comply with the current code requirements.
- (h) Once the time period and any extensions have expired, approval/permit shall terminate and the application is void and deemed withdrawn.

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14.16B.205 Purpose.

A Type II review is an administrative review and decision by the appropriate department. These are applications which are categorically exempt from review under the State Environmental Policy Act (SEPA), a separate SEPA review, or permits for which environmental review has been completed in connection with another application. Public notification is provided at the application and decision stages of application review. Appeals of Type II decisions are made to the Hearing Examiner, except shoreline permit appeals are made to the State Shoreline Hearings Board. Type II reviews are exempt from the procedures of Section 14.16A.230, Time Frames for Review. The purpose of this part is to provide the necessary steps for permit approvals requiring Type II review.

14.16B.325 Public Meetings.

A public meeting shall be required for Type III applications except variances pursuant to Section 14.16A.260((299)). Staff may require the applicant to participate in the meeting to inform citizens about the proposal. If a public meeting is planned, it shall be held as early in the review process as possible for Type III applications. Notice of the public meeting shall be provided in the same manner as required for the notice of application. The public meeting notice will be combined with the notice of application whenever possible.

14.16B.350 Hearing Examiner Decision.

(a) The Hearing Examiner shall approve a project or approve with modifications if the applicant has demonstrated that the proposal complies with the applicable decision criteria of this title. The applicant carries the burden of proof and must demonstrate that a preponderance of the evidence supports the conclusion that the application merits approval or approval with modifications. In all other cases, the Hearing Examiner shall deny the application.

(b) If the Hearing Examiner requires a modification which results in a different proposal not reasonably foreseeable from the description of the proposal contained in the public notice provided pursuant to Section 14.16B.340, the Hearing Examiner shall conduct a new hearing on the modified proposal.

(c) The Hearing Examiner may include conditions to ensure a proposal conforms to the relevant decision criteria.

(d) The Hearing Examiner shall within 14 days following the close of the record distribute a written report supporting the decision. The report shall contain the following:

- (1) The decision of the Hearing Examiner;
- (2) Any conditions included as part of the decision;
- (3) Findings of fact upon which the decision, including any conditions, was based and the conclusions derived from those facts; and
- (4) A statement explaining the process to appeal the decision of the Hearing Examiner to the Superior Court((City Council)).

(e) Reconsideration Period. Any person who presented or commented at the hearing may file a written request with the Hearing Examiner for reconsideration within 10 business days of the date of the Hearing Examiner's decision. The request shall explicitly set forth alleged errors of procedure or fact. Comments shall be requested from affected parties of record and reviewing City departments on the petition for reconsideration. Comments shall be received within 14 days. The Hearing Examiner shall act within 14 days after the filing of the request for reconsideration by denying the request, issuing a revised decision, or calling for an additional public hearing.

- (1) The grounds for reconsideration shall be limited to the following:
 - (i) The Hearing Examiner exceeded his or her jurisdiction;
 - (ii) The Hearing Examiner failed to follow the applicable procedure in reaching his or her decision;
 - (iii) The Hearing Examiner committed an error of law or misinterpreted the applicable city regulation, ordinance or other state law or regulation;
 - (iv) The Hearing Examiner's findings, conclusions and/or conditions are not supported by the record; and/or
 - (v) Newly discovered evidence alleged to be material to the Hearing Examiner's decision which could not reasonably have been produced prior to the Hearing Examiner's decision.

(2) Requests for reconsideration may use the additional grounds that changes to the application proposed by the applicant are in response to deficiencies identified in the decision.

14.16B.505 Purpose.

A Type V process is a quasi-judicial review and decision made by the City Council. Staff makes a recommendation to the City Council. Depending on the application, staff may conduct a public meeting to obtain

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public input. The City Council shall hold a public hearing on the application prior to making a decision; except for Final Plats, only a public meeting is held by the Council. Public notification is provided at the application, public hearing, and decision stages of application review. There is no opportunity for an administrative appeal. Appeals of City Council decisions are made to Snohomish County Superior Court. The purpose of this part is to provide the necessary steps for permit approvals requiring Type V review.

14.16B.525 Public Meetings.

A public meeting is required for all Type V applications pursuant to Section 14.16A.260. Staff may require the applicant to participate in the meeting to inform citizens about the proposal. If a public meeting is planned, it shall be held as early in the review process as possible for Type V applications. Notice of the public meeting shall be provided in the same manner as required for notice of the application. The public meeting notice will be combined with the notice of application whenever possible. Council Action for a Final Plat is a public meeting rather than a public hearing.

14.16B.540 Notice of City Council Public Hearing.

(a) Public notice of the date of the City Council public hearing, or for Final Plats a public meeting, at which the City Council will consider the application shall be published in a newspaper of general circulation. The public hearing shall be scheduled no sooner than ((44))10 days following the date of publication of the notice. If a determination of significance was issued by the SEPA responsible official, the notice of staff recommendation shall state whether an EIS or supplemental EIS was prepared or whether existing environmental documents were adopted. The notice of the City Council meeting shall also include the notice of the availability of the staff recommendation.

(b) The Planning Director shall mail or email notice of the City Council public hearing or public meeting, the SEPA determination, and the notice of the availability of staff recommendation to all parties of record.

14.16B.545 City Council Decision.

(a) Within five days of a decision, the Planning Director shall transmit to the City Council a copy of the department file on the application including all written comments received prior to the City Council meeting and information reviewed by or relied upon by staff. The file shall also include information to verify that the requirements for notice to the public (notice of application, notice of public hearing, and notice of SEPA determination) have been met.

(b) Any person may participate in the City Council public hearing, or public meeting for Final Plats, on staff recommendation by submitting written comments to the Department of Planning and Community Development prior to the hearing or by submitting written comments or making oral comments at the hearing.

(c) The City Council shall, at the open record public hearing or public meeting, consider and take final action on each Type V application. The final action may take place in the same meeting as the public hearing or public meeting, if any.

(d) The City Council shall either:

- (1) Approve the application;
- (2) Approve the application with modifications;
- (3) Remand the application to staff for an additional review limited to specific issues identified by the

Council; or

- (4) Deny the application.

(e) Decision.

(1) Conditions. The City Council may, based on the record, include conditions in any decision approving or approving with modifications an application, in order to ensure conformance with the approval criteria specified in the code or process under which the application was made.

(2) Findings of Fact. The City Council shall include findings of fact and conclusions derived from those facts which support the decision of the Council, including any conditions, in the decision approving or approving with modifications the application. The City Council may by reference adopt some or all of the findings and conclusions recommended by staff.

14.16B.630 Notice of Public Hearing.

(a) When the Planning Commission or City Council has scheduled a public hearing on a Type VI proposal, notice of the public hearing shall be provided 10 days prior to the scheduled hearing date in the manner set forth in subsection (b) of this section.

(b) Notice of Public Hearing.

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Type VI Action or Permit	Mail	Post	Publish
Comprehensive Plan Amendment - Map & Text	X	X	X
Development Agreements			X
Land Use Code Amendments			X
Rezone - Area-Wide Zoning Map Amendment		X	X

(c) Published Notice. When required, the applicable department director shall publish a notice twice in a newspaper of general circulation in the City. The notice shall contain the following information:

- (1) The name of the applicant, and if applicable, the project name;
- (2) If the application involves specific property, the street address of the subject property, a description in nonlegal terms sufficient to identify its location, and a vicinity map indicating the subject property or website address where maps can be viewed;
- (3) A brief description of the action or approval requested;
- (4) The date, time, and place of the public hearing;
- (5) Summarize the nature and character of the proposed change;
- (6) If the proposed amendment involves a change in zoning district classification, reasonably identify the property whose classification would be affected by the amendment;
- (7) State that the full text of the amendment can be obtained from the Department of Planning and Community Development (~~Services~~);
- (8) State that substantial changes in the proposed amendment may be made following the public hearing; and
- (9) A statement of the right of any person to participate in the public hearing.

(d) Mailed Notices and Postcard Notices. Mailings shall be completed pursuant to Section [14.16A.225](#) with the additional specifications:

- (1) For minor map amendments, notices shall be mailed to the record owners for tax purposes of all properties whose zoning classification is proposed to be changed, as well as the owners of all properties which are within 300 feet of the property proposed to be rezoned, or 20 property owners (whichever is greater).
- (2) For major map amendments, notice over and above that specified in this section may be provided at the discretion of the Department of Planning and Community Development, as deemed necessary to ensure ample opportunity for citizens and property owners to become aware of the upcoming hearing.
- (3) Notice of the public hearing, containing the same information set forth in subsection (c) of this section, shall be mailed to each owner of real property within 300 feet of any boundary of the subject property, or 20 property owners (whichever is greater).

(e) Posted Notices.

- (1) All posted notices shall be completed pursuant to Section [14.16A.225](#).
- (2) For minor map amendments, at least one public notice board shall be posted on the site on public right-of-way within the property proposed to be rezoned.
- (3) For major map amendments, a minimum of three public notice boards shall be posted on public right-of-way.
- (4) The following Type VI application is a major land use action: area-wide zoning map amendment. In addition to the general notice requirements, a major land use action shall comply with the extraordinary signage requirements in Section [14.16A.225\(b\)\(3\)](#).

(f) Alternative Means of Notification. In the case of the following actions initiated by the City, which affect large areas of the City, the Planning Director may elect to use alternative means of public notification in addition to the newspaper publication required by RCW [35A.63.070](#) or the mail and posting provisions above, provided such notification is likely to achieve equal or greater actual public notification:

- (1) Adoption or amendment of a neighborhood or other area-wide community plan; or
- (2) Area-wide zoning map amendments.

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14.16C.050 Design Review.

(a) The Design Review Board is created to review and make urban design decisions that will promote visual quality throughout the City. The purpose of design review includes but is not limited to the following:

(1) To encourage and promote aesthetically pleasing and functional neighborhood and commercial developments for the citizens of Lake Stevens by establishing design review standards and guidelines including site layout, landscaping, parking and preferred architectural features;

(2) To implement the City's Comprehensive Plan policies and supplement the City's land use regulations, promote high-quality urban design and development, supplement land use regulation, promote a coordinated development of the unbuilt areas, improve walkability, lessen traffic congestion, provide light and air, prevent the overcrowding of land, and conserve and restore natural beauty and other natural resources;

(3) To encourage originality, flexibility, and innovation in site planning and development, including the architecture, landscaping and graphic design of proposed developments in relation to the City or subarea as a whole;

(4) To encourage low impact development (LID) by conservation and use of existing natural site features in order to integrate small-scale stormwater controls and to prevent measurable harm to natural aquatic systems from commercial, residential or industrial development sites by maintaining a more hydrologically functional landscape;

(5) To encourage green building practices in order to reduce the use of natural resources, create healthier living environments, and minimize the negative impacts of development on local, regional, and global ecosystems;

(6) To encourage creative, attractive and harmonious developments and to promote the orderliness of community growth, the protection and enhancement of property values for the community as a whole and as they relate to each other, the minimization of discordant and unsightly surroundings, the need for harmonious and high quality of design and other environmental and aesthetic considerations which generally enhance rather than detract from community standards and values for the comfort and prosperity of the community and the preservation of its natural beauty and other natural resources which are of proper and necessary concern of local government, and to promote and enhance construction and maintenance practices that will tend to prevent visual impairment and enhance environmental and aesthetic quality for the community as a whole;

(7) To aid in assuring that structures, signs and other improvements are properly related to their sites and the surrounding sites and structures, with due regard to the aesthetic qualities of the natural terrain and landscaping, and that proper attention is given to exterior appearances of structures, signs and other improvements;

(8) To protect and enhance the City's community vision for living and working and thus support and stimulate business and industry and promote the desirability of investment and occupancy in business and other properties;

(9) To stabilize and improve property values to help provide an adequate tax base to the City to enable it to provide required services to its citizens;

(10) To foster civic pride and community spirit by reason of the City's favorable environment and thus promote and protect the health, safety and welfare of the City and its citizens; and

(11) To ensure compatibility between new and existing developments.

(b) The City Council shall adopt design guidelines or standards by ordinance.

(1) City of Lake Stevens Design Guidelines (Residential Development Handbook for Snohomish County Communities) were readopted on April 17, 1995, for use within City limits, excluding subareas.

(2) Subarea Design Guidelines were adopted in September 2012 as an exhibit of the Lake Stevens Center Subarea Plan and 20th Street SE Corridor Subarea Plan. To assure an attractive, pedestrian-friendly environment, all development occurring within either subarea shall comply with these design guidelines which are attached to the subarea plans. If design guidelines appear to conflict with another provision of this title, the design guidelines shall prevail.

(c) Design Review Board. Review of permit applications for conformance with the development design guidelines shall be done by the Design Review Board in public meetings, as set forth in Section [14.16A.260](#).

(d) Projects requiring design review that meet the limitations in Section [14.16C.020\(d\)](#) shall follow the procedures established in Chapter [14.16B](#) for a Type I permit process as an administrative design review. All other projects requiring design review shall follow the procedures in subsection (e) of this section.

(e) Procedure.

(1) Pre-Application Meeting. If design review is required, a pre-application meeting with the City is highly recommended prior to submittal of a formal application.

(2) Design Review Submittal Requirements. Seven color, hard copies and one electronic copy are required for each submittal for review by the Design Review Board.

(i) Buildings and Site Development Plans. The following information and materials shall be submitted to the City for review under this chapter:

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- a. A completed application.
 - b. Site plan at an engineering scale from one inch equals 20 feet to one inch equals 50 feet, showing:
 - 1. Location of all proposed structures and any existing structures to be retained or incorporated into the development.
 - 2. Location of building setback lines.
 - 3. Proposed pedestrian and vehicular circulation including driveways, access points, sidewalks and pedestrian pathways.
 - 4. Parking lot layout, design and, if applicable, loading areas.
 - 5. Public improvements including sidewalks, curbs, gutters, etc.
 - 6. Location of existing trees and vegetation to be retained.
 - c. Building material samples and color chips.
 - d. Plans and section drawings depicting the relationship of the proposed project to abutting properties and buildings.
 - e. Building elevations and/or perspective renderings drawn to scale and indicating the exterior color and material composition (including mechanical equipment and screening).
 - f. Roof plan including the location of mechanical equipment.
 - g. A lighting plan, if required, adequate to determine the location, character, height and style of fixtures and the amount and impacts of spillover on adjacent properties.
 - h. A brief narrative description of the design elements or objectives of the proposal and discussion of the project's relationship to surrounding properties.
- (ii) Landscape Plans. The following information and materials shall be submitted to the City for review under this chapter:
- a. A completed application.
 - b. Site plan at an engineering scale from one inch equals 20 feet to one inch equals 50 feet, showing:
 - 1. Location of all proposed structures and any existing structures to be retained or incorporated into the development.
 - 2. Proposed pedestrian and vehicular circulation including driveways, access points, sidewalks and pedestrian pathways.
 - 3. Parking lot layout, design and loading areas if applicable.
 - 4. Public improvements including sidewalks, curbs, gutters, etc.
 - 5. Location and size of existing trees and vegetation to be retained.
 - 6. Plans and section drawings depicting the relationship of the proposed project to abutting properties and buildings.
 - 7. Landscape plan showing the location of proposed plant materials, including a plant schedule identifying plants by common and scientific names, spacing, size at time of planting, size at maturity, location of any existing vegetation and trees to be retained, and special notes.
 - 8. Photographs of proposed plant material.
 - 9. Plans showing proposed grading/topography, drawn to the same scale as the landscape plan.
- (iii) Sign Plans. The following information and materials shall be submitted to the City for review under this chapter:
- a. A completed application.
 - b. A site plan, drawn to scale, showing the location of the building upon which the sign will be installed, surrounding buildings, and adjacent streets.
 - c. A drawing showing the size, shape and exact location of the proposed sign(s). For wall or building-mounted signs, the drawing shall portray the proposed sign's relationship to any existing or proposed signs located on the same facade or common building wall. Drawings must be to scale or contain dimensions indicating the size of the sign and the length and height of the appropriate building surface.
 - d. Dimensions, area (in square feet), and style of letters/symbols of the proposed signs.
 - e. A colored illustration of the proposed signs.
 - f. Sign materials (wood, plastic, metal, etc.) and color samples.
- (iv) The Director may require the submission of such other information determined to be appropriate and necessary for a proper review of the requested action.

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(3) Recommendation. A staff report of findings, conclusions and recommendations shall be forwarded to the ~~((Planning Commission and))~~ Design Review Board before a public meeting. The conclusions and recommendations shall indicate how the recommendations carry out the goals, policies, plans and requirements of the development design guidelines. The findings shall be referenced to contested issues of fact, and the conclusions shall be referenced to specific provisions of the development design guidelines and review criteria incorporated therein, together with reasons and precedents relied upon to support the same. The conclusions shall make reference to the effect of the decision upon the Comprehensive Plan, as well as the effect of both approval and denial on property in the vicinity, on business or commercial aspects, if relevant, and on the general public. The decision shall be based upon a consideration of the whole record of the application.

(f) Conformance with Design Guidelines or Standards.

(1) Structures within the following zones are subject to the design guidelines or standards adopted per subsection (b) of this section, except when the project meets the limitations in Section [14.16C.020](#)(d) or when the development is located within an adopted subarea plan and is required to meet the adopted subarea design guidelines:

- (i) Central Business District (except Class 1.100 or 1.200 uses);
- (ii) Mixed Use (except Class 1.100 or 1.200 uses);
- (iii) Neighborhood Commercial (except Class 1.100 or 1.200 uses);
- (iv) Local Business (except Class 1.100 or 1.200 uses);
- (v) Planned Business District;
- (vi) Sub-Regional Commercial;
- ~~((vii) Commercial Recreation;))~~
- (vii~~((i))~~) High Urban Residential;
- (viii~~((i))~~) Multi-Family Residential;
- (ix) Light Industrial;
- (x~~((i))~~) General Industrial; or
- (xi~~((i))~~) Public/Semi-Public.

(2) Structures are subject to the design guidelines or standards adopted per subsection (b) of this section when developed under specified regulations listed below, except when the project meets the limitations in Section [14.16C.020](#)(d):

- (i) Planned neighborhood developments (Section 14.16C.080);
- (ii) Planned residential developments (Section 14.44.020); and
- (iii) Innovative Housing Options ~~((Demonstration))~~ Program (Chapter 14.46).

(3) No building or land use permit shall be issued for structures or uses which do not conform to the applicable guidelines or standards, except as allowed under subsection (f)(4) of this section.

(4) A building or land use permit may be issued for a structure or use that does not comply with subsections (f)(1), (2) or (3) of this section, if any one of the following findings can be made by the permit-issuing authority:

- (i) The structure is of a temporary nature which, in all likelihood, will be replaced by a permanent structure within a reasonable time frame.
- (ii) The structure is minor to the overall use of the property and will not be noticeably visible from a public right-of-way.
- (iii) The structure will not be visible from an existing, planned, or proposed public right-of-way.
- (iv) The structure is pre-existing with proposed changes to portions of the facade that are not visible from public rights-of-way.

14.16C.075 Land Use Code Amendments.

(a) The purpose of this section is to allow amendments to this title.

(b) Procedure. A land use code amendment shall be reviewed in the manner and following the procedures established in Chapters [14.16A](#) and [14.16B](#) for a Type VI review.

(c) Initiation of Amendments.

(1) Amendments to this title may be initiated by the City Council, the Planning Commission, or the City administration.

(2) Any other person may also petition the Planning Department to amend this title. The petition shall be filed with the Department of Planning and Community Development ~~((Services))~~ and shall include:

- (i) The name, address, and phone number of the applicant;
- (ii) A strikeout/underlined version of the existing code showing proposed changes; and

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- (iii) Articulation of the specific objective(s) of any proposed text amendments.
- (d) Upon receipt of a petition, the Planning Director shall either:
 - (1) Determine if the proposed code amendments meet the decision criteria in subsection (f) of this section; or
 - (2) Forward the petition to the Council for a determination on whether to accept and review the petition. The Council may summarily deny the petition or refer it to the Planning Commission for a recommendation.
- (e) Amendments to following are not required for review before the Planning Commission:
 - (1) Chapter [14.60](#) (Utilities).
 - (2) Chapter [14.80](#) (Building and Construction).
 - (3) Chapter [14.84](#) (Fire Code).
- (f) Decision Criteria. In approving code amendments to this title, the City Council shall make the following findings:
 - (1) The amendment is consistent with the adopted Lake Stevens Comprehensive Plan;
 - (2) The amendment is in compliance with the Growth Management Act; and
 - (3) The amendment serves to advance the public health, safety and welfare.
- (g) No ordinance that amends any of the provisions of this title may be adopted until a public hearing has been held on such ordinance.
- (h) Approval. All amendments shall be approved by ordinance of the Lake Stevens City Council.

14.16C.090 Rezones - Official Zoning Map Amendments.

- (a) The purpose of this section is to set forth criteria for amendments to the Official Zoning Map, adopted pursuant to Section [14.36.100](#).
- (b) Types of Rezones and Map Amendments. Rezones are either site-specific or area-wide. Map amendments are considered major if they rezone five or more tracts of land in separate ownership or any parcel of land, regardless of the number of lots or owners, in excess of 50 acres. All other map amendments are minor.
 - (1) Site-specific rezones are rezones of a particular property(ies) which conform to the Comprehensive Plan or an adopted subarea plan.
 - (2) Area-wide rezones are rezones which require a Comprehensive Plan amendment, include a large area, or the adoption of a new or substantially revised neighborhood or area-wide zoning map amendment.
- (c) Procedure. A site-specific rezone shall be reviewed in the manner and following the procedures established in Chapters [14.16A](#) and [14.16B](#) for a Type IV review. An area-wide rezone shall be reviewed in the manner and following the procedures for a Type VI review and require a concurrent amendment to the Comprehensive Plan.
- (d) Initiation of Amendments.
 - (1) Amendments to the Official Zoning Map may be initiated by the City Council, the Planning Commission, or the City Administration.
 - (2) Any other person may also petition the Planning Department to amend the Official Zoning Map. The petition shall be filed with the Department of Planning and Community Development (~~(Services)~~) and shall include:
 - (i) The name, address, and phone number of the applicant;
 - (ii) A description of all land proposed to be rezoned including a map highlighting the specific parcels; and
 - (iii) A rationale for the proposed map changes.
- (e) Upon receipt of a petition, the Planning Director will determine if the proposed zoning map amendments meet the decision criteria in subsection (g) of this section and shall either:
 - (1) Refer the proposed amendment to the Hearing Examiner for a site-specific rezone for a recommendation to Council(~~Determine if the proposed zoning map amendments meet the decision criteria in subsection (g) of this section~~); or
 - (2) Refer the proposed amendment to the Planning Commission for an areawide rezone for a recommendation to Council.
- (f) Special Application Requirements for Site-Specific Rezones.
 - (1) No application shall be filed or accepted for filing which on its face will not comply with the Lake Stevens Comprehensive Plan or an adopted subarea plan.
 - (2) No application without signatures of owners representing 75 percent of the area proposed for rezone shall be filed or accepted for filing.
- (g) Decision Criteria. The following factors are to be taken into account by the Planning Commission, Hearing Examiner and the City Council when considering a map amendment:

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- (1) The amendment complies with the Comprehensive Plan Land Use Map, policies, and provisions and adopted subarea plans;
- (2) The amendment is in compliance with the Growth Management Act;
- (3) The amendment serves to advance the public health, safety and welfare;
- (4) The amendment is warranted because of changed circumstances, a mistake, or because of a need for additional property in the proposed zoning district;
- (5) The subject property is suitable for development in general conformance with zoning standards under the proposed zoning district;
- (6) The amendment will not be materially detrimental to uses or property in the immediate vicinity of the subject property;
- (7) Adequate public facilities and services are likely to be available to serve the development allowed by the proposed zone;
- (8) The probable adverse environmental impacts of the types of development allowed by the proposed zone can be mitigated, taking into account all applicable regulations, or the unmitigated impacts are acceptable;
- (9) The amendment complies with all other applicable criteria and standards in this title; and
- (10) If the proposal is located within an adopted subarea plan:
 - (i) The rezone is to a zoning designation allowed within the applicable subarea; and
 - (ii) The rezone does not increase the established intensities adopted as part of the planned action ordinance or mitigates increased or additional impacts by supplementing, amending or addending the applicable planned action draft and final environmental impact statement.
- (h) Approval. All amendments shall be approved by ordinance by the Lake Stevens City Council.
- (i) Withdrawal. Any application for a site-specific rezone may be withdrawn upon the written request of any one of the property owners who signed the application, if the remaining owners do not own 75 percent of the area.
- (j) Reapplication after Denial without Prejudice. After the Council's final action denying a rezone, no further rezone action involving substantially the same property shall be requested for at least one year. If the Council finds that extraordinary circumstances exist, or that the request might deserve approval in the near future, but not at the present time, then the rezone may be denied without prejudice. In such a case, if the rezone request is reactivated in writing by the applicant within six months, and is reheard within nine months of the date of the original action, then the original case file and number shall be used and the rezone fee shall be waived.
- (k) Review or Revocation of Approval. Rezones and any concurrent or subsequent approvals issued pursuant to this chapter may be reviewed or revoked in accordance with [Section 14.16A.255](#).

14.18.045 Endorsements on Short and Long Subdivision Plats.

All subdivision plats shall contain the following endorsements, specific language of which is to be made available by the Planning Director: certificate of subdivision approval, certificate of approval of public improvements, certificate of ownership and dedication, certificate of survey and accuracy, certificate of City Treasurer, [City Council Approval \(for long subdivisions only\)](#), Snohomish County Treasurer's certificate, and recording certificate.

14.18.070 Boundary Line Adjustments.

- (a) Minor lot line adjustments are exempt from the subdivision regulations. Minor lot line adjustments to existing legal lots are permitted when no new lots are created through the process and the adjusted lots either meet all requirements of this title and other City regulations. In the case of existing legal nonconforming lots, the adjustment shall not create a new or greater nonconformity with respect to any City regulations.
- (b) Application for a boundary line adjustment (BLA) is made by submitting to the Planning Director a land use development (~~master permit~~) application, with a survey of the subject property showing existing and proposed lot lines, before and after legal descriptions, owner's certificate, surveyor's certificate, and Planning Director's approval certificate.
- (c) To finalize an approved boundary line adjustment, it shall be recorded with the Snohomish County Auditor's Office no later than one year after final approval has been issued by the Planning Director or the application and approval shall lapse and a new application must be submitted.
- (d) Recording fees and applicable state fees shall be paid by the applicant. Immediately after recording, copies of the recorded BLA documents shall be provided to the City. The BLA shall not take effect until recorded with the Snohomish County Auditor and copies returned to the City.

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(e) The department may grant up to a one-year extension of a BLA for good cause, if a written request for extension, including a description of reason for request, is submitted to the Planning Director at least two weeks before approval lapses.

(f) If the BLA affects more than one property owner, a conveyance document(s) shall be recorded at the same time as the BLA documents. The conveyance document(s) shall establish ownership consistent with the approved, adjusted boundaries.

(g) When a BLA is recorded subsequent to a record of survey for the same property, the recording number of the record of survey shall be noted on the BLA map.

14.18.175 Recording with County Auditor.

(a) To finalize an approved binding site plan (~~boundary line adjustment~~), it shall be recorded with the Snohomish County Auditor’s Office no later than one year after final approval has been issued by the Planning Director or the application and approval shall lapse and a new application must be submitted.

(b) Immediately after recording, copies of the recorded binding site plan (~~BLA~~) documents shall be provided to the City. The BLA shall not take effect until recorded with the Snohomish County Auditor and copies returned to the City.

14.36.100 Official Zoning Map.

(a) There shall be a map known and designated as the Official Zoning Map, which shall show the boundaries of all zoning districts within the City’s planning jurisdiction. ~~((This map shall be drawn on acetate or other durable material from which prints can be made, shall be dated, and shall be kept in the Planning Department.))~~

(b) The Official Zoning Map dated May 11, 2009, is adopted and incorporated herein by reference. Amendments to this map shall be made and posted in accordance with Section [14.16C.090](#).

(c) Should the Official Zoning Map be lost, destroyed, or damaged, the Planning Director may have a new map ~~created~~ ~~((drawn on acetate or other durable material from which prints can be made))~~. No further Council authorization or action is required so long as no district boundaries are changed in this process.

14.38.040 Dimensional Regulations.

Table 14.38-I Dimensional Regulations

Zone	Minimum Lot Size	Building Setback (from lot (property) line, tract or easement) (ft) ¹³		Min. Landscape Buffer (ft) ⁷	Min. First Floor Height (ft)	Max. Height (ft) ^{9, 10}
		Front	Side/Rear			
Commercial Zones						
BD	NA	5	10 ^{4,5}	5	12	55
CD	NA	5	10 ^{4,5}	5	15	55
NB	NA	5	10 ^{4,5}	5	15	35
Mixed Use Zones						
MS	NA	5 ¹	0 ^{4,5,6}	5	15	55
MUN	NA	10 ^{2,3}	10 ^{5,6}	5	15 ⁸	45
Residential Zones						

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HUR ¹¹	3,600 sq. ft. ¹²	10 ^{2,3}	5 ⁵	5	NA	45
UR	7,500 sq. ft. ¹²	20 ³	5	NA	NA	35

Notes:

1. The minimum required setback is five feet and the maximum allowed setback is 10 feet in the MS district.
2. The minimum required setback is 10 feet and the maximum allowed setback is 20 feet.
3. Porches, covered entries, or pedestrian-oriented spaces may project up to five feet into front yard setbacks in residential districts.
4. Districts that allow commercial uses shall maintain a 10-foot, Type B screen when adjacent to residential zones, per Section [14.76.040\(a\)](#).
5. Structures 35 feet or taller next to single-family districts must be stepped back five feet for every floor over 35 feet per Figure 14.38-II.



Figure 14.38-II illustrates stepping back the upper stories of a structure, adapted from the Everett Municipal Code.

6. Attached housing units or attached commercial structures built on separate lots can be built to the common property line. The outside setback for attached structures abutting a right-of-way, separate detached structures, or a different zone shall be 10 feet.
7. Landscape buffers will be comprised of a Type C screen per Section [14.76.040\(a\)](#) along property lines; however, the City may waive the landscape buffer when adjacent properties share parking, access, or other common features that make intensive landscaping impractical. In addition, perimeter landscape buffer along property lines of adjacent high-density single-family lots is not required; however, screening different developments from neighboring properties will provide separation, vegetation and define each development. The front landscaping buffer does not apply in the MS district.
8. The first floor height of residential structures in the MUN district, without an attached retail/service component, not facing a public right-of-way may be reduced to industry standard.
9. If a project includes a parking structure or affordable housing FAR bonus, as described in Section [14.38.050\(b\)](#), the City will also allow an overall height increase of 10 feet above maximum height.
10. The City will consider an increase in maximum height up to 80 feet with a conditional use permit per Section [14.16C.045](#).
11. Maximum impervious surface for parcels in the HUR district is 65 percent.
12. When developed as a planned residential development (Section 14.44.020) the per unit lot size may be reduced to 3,000 square feet for HUR district and 6,000 square feet for the UR district in return for the dedication of additional open space at the ratio of 400 square feet per dwelling unit.
13. Eaves and other minor architectural features may project into the required setback up to 18 inches.

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14.38.100 Signs.

(a) Purpose and Application. Ensure that signage provides effective advertising and identification with appropriate design, scale, and placement. Developments within the subareas are subject to the sign regulations found in Chapter [14.68](#) and applicable design guidelines, except when this chapter modifies the standard municipal code requirements.

(b) Allowed Signs.

- (1) Changeable text signs per Section [14.68.084](#).
- (2) Freestanding signs.
- (3) Informational/directional signs.
- (4) Projecting/suspended signs.
- (5) Residential signs per Section [14.68.090](#).
- (6) Signs excluded from regulation per Section [14.68.020](#).
- (7) Temporary signs per Section [14.68.030](#).
- (8) Wall signs.
- (9) Window signs.

(c) Prohibited Signs.

- (1) Animated or flashing signs, except as allowed in Section [14.68.120](#).
- (2) Off-site signs, except as allowed by Section [14.68.030](#) and subsection (f) of this section.
- (3) Portable signs.
- (4) Roof signs.
- (5) Signs which are located on or extend over public rights-of-way.
- (6) Temporary signs except as allowed by Section [14.68.030](#).

(d) Projecting/Suspended Signs, Wall Signs, and Window Signs.

- (1) Table 14.38-IV establishes the dimensional and quantitative requirements for projecting/suspended signs, wall signs, and window signs.
- (2) Projecting/Suspended Signs.
 - (i) Projecting signs shall not extend more than five feet from a building facade;
 - (ii) Suspended signs are limited to approximately two inches in thickness and may not extend beyond the structure to which it is attached;
 - (iii) Projecting/suspended signs must provide a minimum of eight feet of clearance from the ground to the bottom of the sign; and
 - (iv) A minimum spacing of 20 feet between signs must separate projecting/suspended signs.
- (3) Wall Signs.
 - (i) Wall signs shall be generally located in the storefront area above the main entrance along primary facades and beneath the roofline or cornices on secondary facades;
 - (ii) Second story signs shall be generally located directly above or below windows, but not higher than the belt course between the next story or below the roofline or cornices, as illustrated in Figure 14.38-IV;
 - (iii) Wall signs shall be generally centered between defined architectural elements and may not extend beyond defined architectural features;
 - (iv) Wall signs may be located on building focal points, if the sign does not extend beyond defined architectural features;
 - (v) Wall signs shall not project more than 10 inches from the building;
 - (vi) Wall signage may be located on awnings and marquees or similar structures only when the design of the building facade prohibits wall signs on the storefront facade and the signage does not extend beyond defined architectural features; and
 - (vii) The wall sign area calculation is defined in Table 14.38-IV and the maximum area will be based on the size of the associated gross business area, as follows:
 - a. Five thousand gross square feet or less: 32 square feet;
 - b. Five thousand one to 15,000 gross square feet: 96 square feet; and
 - c. Over 15,001 gross square feet: 192 square feet.
 - (viii) Sign area is not transferable.

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- (1) Table 14.38-V establishes the dimensional and quantitative requirements for freestanding signs including monument and pole/pylon signs.
- (2) Freestanding signs shall be located no closer than five feet to public rights-of-way or access easements measured from the face of the sign to the back of the ROW or easement.
- (3) No signs shall obstruct sight distance at street intersections or driveways per Section [14.68.120\(d\)](#).
- (4) The height of freestanding signs shall be measured from the average ground level at the sign's base.
- (5) Freestanding signs must provide an architectural base, with a minimum height of 12 inches.
- (6) Each freestanding sign shall provide a landscaped area around the base of the sign per the following:
 - (i) One and one-quarter square feet of landscaping per one square foot of sign area with a minimum area of 50 square feet and a minimum width of five feet measured from the outside of the curb or the edge of the landscape bed;
 - (ii) The landscape area and sign base shall be protected from vehicles by a six-inch curb, if adjacent to drive aisles or parking areas;
 - (iii) The landscape area must include a mix of shrubs, perennials and/or annual flowers, and other standard landscape material; and
 - (iv) The landscape area may include other materials and components such as brick or concrete bases, planter boxes, pole covers, decorative framing, and accent lighting.



Figure 14.38-V Monument Sign

Table 14.38-V Freestanding Sign Standards

Sign Type		CD	NC	BD	MS	MUN
Monument	Sign Area ¹ (sq. ft.)	75	50	50	50	25
	Sign Height	15 ft.	10 ft.	10 ft.	5 ft.	5 ft.
	Number ^{2,3,4}	1	1	1	1	1
Pole/Pylon⁵	Sign Area ¹ (sq. ft.)	100	NA	NA	100	NA
	Sign Height	20 ft.			20 ft.	
	Number	1			1	

Notes:

1. For freestanding signs with multiple faces, only the sign area of a single face is calculated per Section [14.68.040](#).
2. Each site with commercial uses may install one freestanding identification sign or multi-tenant identification sign per site.
3. Commercial centers with more than one frontage may install two identification and/or multi-tenant identification signs with one freestanding sign along the primary frontage and a second sign along the secondary frontage, with a minimum separation of 100 feet between the signs, including separation of off-site and highway-

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oriented signs. Freestanding signs located along secondary frontages must be reduced by 25 percent in sign area and height.

4. Any detached structure greater than 5,000 square feet in gross area, occupied by a single business, located on a defined building pad, within a commercial center over five acres may have an additional freestanding sign not exceeding 25 square feet in area and having a maximum height of five feet.

5. Pole/pylon signs are limited to highway-oriented sign requirements pursuant to subsection (f) of this section.
(f) Off-Site Signage.

(1) The provisions contained in this section recognize the need for certain businesses located within the Commercial district, Business district and Main Street district, in proximity to state highways (SR-9 and SR-204) and/or major arterials, but with limited visibility to install off-site signs.

(2) The City shall review the need for off-site signage against the following criteria:

(i) The business(es) is located more than 100 feet from the right-of-way, measured from the nearest point to the edge of right-of-way;

(ii) The business(es) shall demonstrate that on-site signs cannot adequately convey the location and identity of the business(es) because of poor visibility or traffic patterns unique to its location;

(iii) The off-site sign does not create adverse impacts to surrounding businesses, pedestrians, or motorists including, but not limited to, glare and sight obstructions;

(iv) The sign is not out of scale or character with allowed signs for nearby uses and employs distinct architectural features associated with the primary building or complex;

(v) The advertising structure does not detract from the goals, objectives, and policies of the subarea plan; and

(vi) The applicant has provided a recorded easement or expressed written permission, including maintenance provisions, from the property owner of the premises where the off-site sign is to be located.

(3) Content of Off-Site Signage.

(i) The off-site sign contains a message area that identifies the complex by name or district and may contain its address;

(ii) The off-site sign identifies one or more businesses in the complex or district by name and may include corporate logos; and

(iii) The off-site sign contains directional information, such as exit number, route information (e.g., next left), and may contain directional arrows.

(iv) The off-site sign may not include promotional information for individual businesses or display or support temporary signs, banners, pennants, etc.

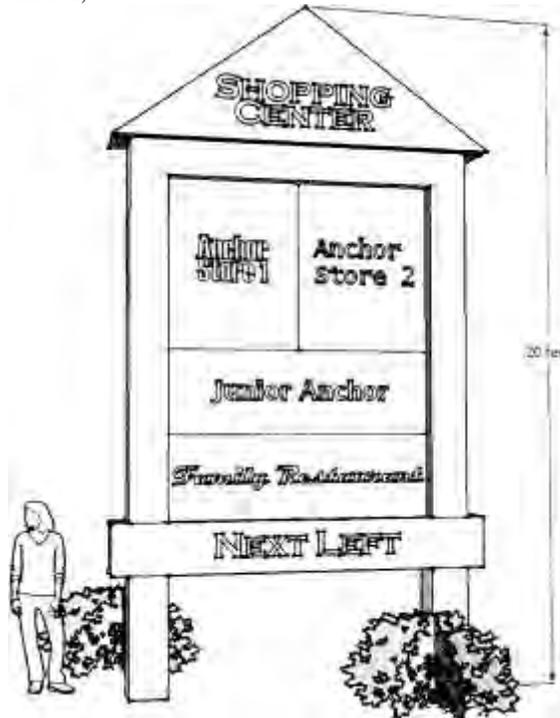


Figure 14.38-VI Off-Site Sign

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(g) Informational/directional signs mean signs within a commercial or business park development that convey information; indicate the name of a particular use, such as “pharmacy” or “lumber”; and provide direction to specific uses such as “drive-through” or “exit,” but do not contain specific advertising, except for building directories.

(1) Attached signs are limited to a maximum of two percent of the building facade or leased storefront area.

(2) Freestanding signs are limited to a maximum of four square feet(~~, except restaurant menu signs, which are limited to a maximum of 12 square feet~~).

(3) Building directories are limited to a maximum of 10 square feet for the purpose of identifying upper floor tenants or first floor tenants that do not have outside building frontage adjacent to the entrance for such businesses.

(4) Primary restaurant menu signs are limited to a maximum of 32 square feet and secondary menu signs are limited to a maximum of 12 square feet. Only one menu sign of each type is allowed per business. Menu signs are subject to the design requirements for freestanding signs.

(h) Sign Modifications. To provide flexibility, the City will consider modifications to the sign regulations for signs that display outstanding design elements per the requirements of Section [14.68.124](#).

(i) Legal Nonconforming Signs.

(1) All legally existing signs at the time of the adoption of the ordinance codified in this chapter that are not in compliance with the requirements of this chapter are nonconforming signs. The burden of establishing a sign’s legal status, under this chapter, is the responsibility of the sign or business owner.

(2) Legal nonconforming signs are subject to the requirements of Section [14.68.150](#) (Nonconforming Signs).

(3) Violations. Any violation of this chapter shall terminate immediately the right to maintain a legal nonconforming sign.

LSMC Section 14.40.010, Table 14.40-I, entitled “Table of Permissible Uses by Zones” is amended by:

- Add footnote #21 to “PA” in CBD column for Use Description “9.100”
- Add footnote to the table to read as follows:
—²¹ Only allowed in the Central Business District on properties north of 20th Street NE.
- Add footnote #22 to Use Description “15.340 Sewage/septic sludge recycling”
- Add footnote to the table to read as follows:
—²² Only allowed as an Essential Public Facility pursuant to Section 14.16C.060.
- Remove Use Descriptions “32.000 Land Clearing, Logging in Conformance with Chapter 14.88” & “33.000 Respective Uses Permissible in Respective Sensitive Areas as Per Chapter 14.88)

14.40.020 Use of the Designations P, A, C in Table of Permissible Uses.

(a) The Table of Permissible Uses (Table 14.40-I) sets forth which uses are permitted in which zones. The letter “P” means the use is permitted or allowed in the indicated zone district subject to all code requirements of this title. The letter “A” means the use requires an administrative conditional use permit, and the letter “C” means the use requires a conditional use permit. No letter means that use is not permitted in the indicated zone district.

(b) When used in connection with residential uses (use classification 1.000), the designation “PAC” means that such developments of less than five dwelling units are a permitted use when code requirements are met, developments of five or more but less than 13 dwelling units need an administrative conditional use permit, and developments of 13 or more dwelling units require a conditional use permit.

(c) When used in connection with nonresidential uses, the designation “PA” means that such developments are permitted if the lot to be developed is less than one acre in size and require an administrative conditional use permit if the lot is one acre or larger in area:(;) and the designation “PC” means that such developments are permitted if the lot to be developed is less than one acre in size and require a ((an administrative conditional or))conditional use permit is required if the lot is one acre or larger in area.

14.40.040 Permissible and Prohibited Uses.

(a) The presumption established by this title is that all legitimate uses of land are addressed within the Table of Permissible Uses, and are either allowed or not allowed thereby. But because the list of permissible uses set forth at the end of this chapter cannot be all inclusive, those uses that are listed shall be interpreted liberally to include other uses that have similar impacts to the listed uses.

(b) Without limiting the generality of the foregoing provisions, the following uses are specifically prohibited in all districts:

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(1) Any use that involves the manufacture, handling, sale, distribution, or storage of any highly combustible or explosive materials in violation of the City's fire prevention code.

(2) Stockyards, slaughterhouses, rendering plants.

(3) Use of a travel trailer, motor home, or other recreational vehicle as a permanent residence.

Recreational vehicles may be used as a temporary guest residence for up to two weeks without a permit, or up to three months within any one consecutive year upon approval by the Planning Director. Situations that do not comply with this subsection on the effective date of the ordinance codified in this title are required to conform within one year.

(4) Use of a motor vehicle parked on a lot as a structure in which, out of which, or from which any goods are sold or stored, any services are performed, or other business is conducted. This prohibition does not apply to temporary public services, such as bookmobiles, blood donation centers, public service information, etc., or temporary food vendors allowed pursuant to Sections [14.44.400](#) and [14.44.410](#) (situations that do not comply with this subsection on the effective date of the ordinance codified in this title are required to conform within 30 days).

(5) Medical cannabis (marijuana) collective gardens and medical cannabis (marijuana) dispensaries, as those terms are defined or described in this code and/or under state law, are prohibited in all zoning districts of the City of Lake Stevens.

(6) Sewage/septic sludge recycling except when approved as an Essential Public Facility pursuant to 14.16C.060.

14.44.020 Planned Residential Developments.

It is intended that a PRD will: result in a residential environment of higher quality than traditional lot-by-lot development by being held to higher standards of design of buildings, parks, open space, landscaping, roadways, entrance and other project features; provide flexibility to the property owners; protect critical areas and significant stands of trees; encourage a variety or mixture of housing types; and encourage compatibility of the development with the surrounding neighborhood. In addition to meeting the other relevant requirements of this title, Planned Residential Developments (PRDs) must comply with the following:

(a) The PRD may only be located on tracts of at least five acres within a Suburban Residential, Urban Residential, High Urban Residential, or Multi-Family Residential zoning district.

(b) The gross density of a PRD shall not exceed the allowable density specified in Section [14.48.010](#).

(c) Permissible types of residential uses within a PRD include single-family detached dwellings (use classification 1.111), single-family attached (1.130), two-family residences (1.200), and multifamily residences (1.300) regardless of the underlying zone.

(d) In the SR and UR zones the developer may create lots and construct buildings with reduced lot size, width, or setback restrictions, except that:

(1) In the SR zone, perimeter lots must have a minimum area of 7,500 square feet and width of 60 feet, and in the UR zone, perimeter lots must have a minimum area of 6,000 square feet and width of 45 feet.

(2) At least 50 percent of the total number of dwelling units must be single-family detached residences on lots of at least 6,000 square feet in all zones except for the Multi-Family Residential.

(3) Comply with the fire protection requirements of the International Building Code (IBC) and the International Fire Code (IFC). Additional fire protection is required by these rules when setbacks are reduced below the standard five feet.

(4) Setback requirements of the underlying zone shall apply for all property lines located on the perimeter of the PRD.

(5) Each lot must be of a size and shape to contain the proposed improvements.

(6) The lots are designed so that homes can be constructed at least 15 feet from any environmentally critical area buffer.

(7) In providing additional amenity pursuant to subsection (h) of this section, priority shall be given to maintaining native areas in a natural condition.

(8) Homes shall be designed so as to minimize the visual impact of garages and automobiles from the streets and sidewalks through either:

(i) Providing alleys which provide access to the garage at the rear of the lot; or

(ii) Locate the garage at least 20 feet behind the front of the house; or

(iii) Locate the garage at least five feet behind the front of the house, with the combined width of garage doors no wider than 18 feet or 50 percent of the width of the front of the house (including garage), whichever is less.

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(e) The design of a PRD, including site layout, landscaping, public facilities (e.g., storm drainage, parks, streets, etc.) and building design shall be subject to Design Review Board (DRB) approval and shall meet the City's adopted Development Design Guidelines. In lieu of the DRB approving each SFR structure, the applicant may propose project-specific design guidelines, in which case the DRB may approve the guidelines, to be implemented administratively by the Department of Planning and Community Development. Where authority is granted by the DRB to staff to review individual single-family residential structures, the DRB shall be the arbiter between the applicant and staff.

(f) When located in the SR, UR or HUR zone, multifamily portions of a PRD shall be developed more toward the interior rather than the periphery of the tract so that only single-family detached residences border adjacent properties and roads.

(g) Type A screening (Chapter 14.76) shall apply to the exterior boundaries of the PRD, but are not required between uses within the PRD.

(h) When creating a PRD, the applicant must improve 10 percent of the site with common amenities, in addition to the open space requirements(~~((Sections 14.52.010 and 14.52.030))~~). The amenities can include, but are not limited to, additional usable open space area, landscaped entries into the project (in addition to the standard roadway dedication and landscaping requirements), landscape islands in the center of roads, special treatment of roads (such as concrete pavers), protection of significant clusters of trees, or other amenities as may be appropriate. Common amenities do not include protected critical areas and their buffers, unless passive recreation is provided within the buffer areas. In such case, credit for trails will be given at a rate of 10 square feet for each lineal foot of trail, 10 square feet for each park bench and five square feet for each interpretive sign. Park space will be given credit towards meeting this requirement only when it meets the criteria for dedication contained in Chapter [14.120](#).

(i) Protected critical areas and significant stands of trees will be used as an amenity to the project through such techniques as providing pervious trails and benches in buffers and significant stands of trees, orienting buildings to create views, and any other technique to provide visual and physical access.

14.44.075 Farm Animals.

~~((a))~~) Farm animals are permitted in residential zoning districts, provided the following standards are met:

~~(a))~~ (4)) The keeping of animals complies with the animal regulations contained in Title [5](#) of the Lake Stevens Municipal Code.

~~(b))~~ (2)) ~~((Except as provided for below, f))~~ Farm animals may be kept only on lots of two and one-half acres or larger ~~except~~ (:

~~(3))~~ (S)) small farm animals such as rabbits, fowl, and household pets (including pot-belly pigs) may be kept on residential lots of any size, provided they are kept in a manner so as not to constitute a nuisance pursuant to Chapter [9.60](#) (Nuisances).

~~(c))~~ (4)) Farm animals may be kept only for the personal use, whether it be for recreational, personal enjoyment, social and educational purposes or food production. Keeping of animals for commercial purposes is prohibited in residential zones, except where specifically allowed pursuant to Table 14.40-I.

~~(d))~~ (5)) Farm animals must be kept a minimum of 50 feet from any stream buffer or wetland buffer.

LSMC Section 14.44.085 entitled "Motor Vehicle Sales in the Central Business District" is repealed as it is moved to a footnote in Table 14.40-I.

14.44.110 Restrictions and Requirements.

All clearing, grading, filling, and excavation, regardless of whether or not a permit is required, is subject to the following requirements:

(a) No clearing, grading, filling, or excavation is allowed in a ~~((non-environmentally sensitive))~~ critical area and its buffers where such activities are prohibited by Chapter [14.88](#).

(b) For single-family and duplex lots, no grading shall be allowed which results in the impervious surface area of the lot to exceed 40 percent of the total lot area. If the lot has 40 percent or more impervious surface area prior to grading, no additional impervious surface area is allowed.

(c) No clearing, grading, filling, or excavation, except that necessary for essential repairs of permitted private structures or construction of public infrastructure or facilities, is permitted outward from the shores of Lake Stevens.

(d) Adequate temporary erosion and sedimentation control (TESC) measures shall be approved and installed per Chapter [14.64](#) (Floodways, Floodplains, Drainage, and Erosion) prior to any disturbance of soils.

(e) All disturbed areas shall be hydro-seeded and mulched, sodded, or otherwise protected within 48 hours of disturbance.

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(f) All potentially impacted (~~environmentally sensitive~~) critical areas and their buffers shall be delimited with a construction limits fence prior to any disturbance of the soil.

(g) The applicant shall present to the City a valid NPDES permit, where required, prior to any disturbance of soil.

(h) Environmental review of grading associated with site development may be done concurrently with the environmental review of the project (e.g., preliminary plat, land use permit, or building permit), allowing for grading for public improvements to be permitted by approval of the construction drawings. However, the application shall specifically state that grading is a part of the application, and the permit shall specifically state what grading is permitted, or the grading shall not be considered permitted.

(i) During the below listed dates all grading and clearing shall be phased as follows:

(1) For grading activity not associated with a plat, between October 1st and March 31st no more than one-fourth acre, or 50 cubic yards of soil, whichever represents the least amount of soil, may be moved or graded at any one time before that portion of the project is closed up per subsection (d) of this section.

(2) Between October 1st and March 31st, grading of individual building lots in a plat shall be phased, with no more than 10 lots being graded in a plat at any one time. Before additional lots can be graded, the previously graded lots shall be hydro-seeded and mulched, sodded, or otherwise protected.

(j) Clearing activities of 10,000 square feet or more in any twelve month period shall comply with the retention and protection of large tree requirements as contained in Section [14.76.120](#). Replacement trees shall be located in such a manner they will not be disturbed when the site develops in the future. In addition, no more than 10 percent of significant trees or 50 percent of all trees on a site may be removed unless and until it is done as part of a plan which has received the appropriate land use permit(s) from the City. The applicant shall include a conceptual plan showing how the protected trees will be able to be retained at the time of site development.

14.44.240 Smoke and Air Pollution.

(a) Any 4.000 classification use that emits any “air contaminant” as defined in Regulations 1, 2, or 3 of the Puget Sound Clean Air (~~(Pollution Control)~~) Agency shall comply with applicable state standards concerning air pollution, as set forth in Regulations 1, 2, or 3 of the Puget Sound Clean Air (~~(Pollution Control)~~) Agency.

(b) No Planning Director approval, administrative conditional use, or conditional use permit may be issued with respect to any development covered by subsection (a) of this section until the Puget Sound Clean Air (~~(Pollution Control)~~) Agency has certified to the permit-issuing authority that the appropriate state permits have been received by the developer, or that the developer will be eligible to receive such permits and that the development is otherwise in compliance with applicable air pollution laws.

14.44.330 Location of Parking in (~~Two-Family and~~) Multifamily Structures.

For multifamily (Class 1.300) uses, in no instance shall street level parking areas be allowed within 25 feet of a public right-of-way unless it is substantially shielded from public view.

14.46.020 Application.

Applications for an innovative housing (~~(demonstration)~~) project shall be made on forms provided by the City, shall be available for public review for a minimum of two weeks prior to the neighborhood meeting, and shall include the following materials:

(a) Preliminary Development Plan. A site plan of the proposed development, indicating property lines, proposed setbacks, and lot coverage calculations. The site plan shall also include the location of all adjacent structures, the distance to property lines, and the footprint of any existing structures on the property with a note on which structures will remain. The preliminary development plan shall consist of a site plan drawn to scale and shall display the following information:

- (1) The location, size, configuration, and dimensions of the lot(s) on which the cottage housing development will be developed;
- (2) The location and footprint for each cottage;
- (3) A depiction of individual dwelling unit area that delineates the spacing around each cottage;
- (4) A delineation of the common open areas;
- (5) The height and square footage of each cottage;
- (6) The parking locations, layout, circulation, ingress and egress;
- (7) The location, if applicable, of any buildings to be used in common by the residents of the cottage housing development;

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- (8) The layout and dimensions of pedestrian circulation from the parking areas to the cottages, and connecting the cottages;
 - (9) Design illustrations that show, and a design checklist that lists, the design features that constitute the required design points for each cottage;
 - (10) A depiction of the driveway access from a publicly maintained street to the cottage housing development parking areas, with its dimensions; and
 - (11) Any other information the Director finds necessary to ensure compliance with this title.
- (b) Conceptual drawings of the proposed innovative housing type, including building footprints and building elevations, floor plans, roof plans, and additional architectural features.
 - (c) A detailed description of how the proposed development is consistent and not in conflict with the surrounding neighborhood character and neighborhood design.
 - (d) A detailed description of how the proposed development meets the purpose and goals of this chapter and complies with all the criteria and project parameters for an innovative housing project.
 - (e) A detailed description of the proposed unit type, including proposed square footage, unit mix, and number of bedrooms per unit.
 - (f) General information about the site including the number of dwelling units allowed by the zone and the number of proposed dwelling units, open space allowed and proposed, impervious surface allowed and proposed, and building height allowed and proposed.
 - (g) Photographs of the site and adjacent properties keyed to the site plan.
 - (h) Additional information as required by the application forms provided by the City or deemed necessary by City staff to consider the application.

14.48.040 Building Setback Requirements.

- (a) Table 14.48-I sets forth the minimum building and freestanding sign setbacks required from lot lines, ultimate street rights-of-way and street centerlines.
 - (1) If the ultimate street right-of-way line is readily determinable (by reference to the Comprehensive Plan Transportation Plan, a recorded map, set irons, adopted plan, or other means), the setback shall be measured from the ultimate right-of-way line. If it is not so determinable, the setback shall be measured from the actual street centerline.
 - (2) As used in this section, the term “lot (~~boundary~~)line, tract or easement” refers to all easements and lot boundaries other than those that abut streets. Setbacks from access easements and access tracts are considered lot (~~boundary~~)line setbacks.
 - (3) As used in this section, the term “building” includes any substantial structure which by nature of its size, scale, dimensions, bulk, or use tends to constitute a visual obstruction or generate activity similar to that usually associated with a building. It also includes any element that is substantially a part of the building, such as (~~eaves~~) bay windows and chimneys, and not a mere appendage, such as a flagpole. Without limiting the generality of the foregoing, for the purpose of determining setbacks the following structures are to be considered buildings:
 - (i) Gas pumps and overhead canopies or roofs;
 - (ii) Fences and hedges taller than 42 inches.
 - (4) Eaves and other minor architectural features may project into the required setback up to 18 inches.
- (b) Whenever a lot in a residential district abuts a nonresidential district, and its required setback is greater than that of the nonresidential lot, the nonresidentially zoned lot shall observe the more restrictive setback. Where a lot zoned General or Light Industrial shares a boundary with a residentially zoned lot, the setback for the industrial property along that common boundary shall be 30 feet.
- (c) In the High Urban Residential District, one five-foot interior side yard setback of a lot may be reduced to a zero feet for portions of the house that shares a common wall with the home on the adjacent lot. Portions of a house which do not share a common wall must be set back a minimum of five feet. The Fire and Building Codes have special building requirements which must be met when setbacks are less than five feet.
- (d) All docks and other permissible overwater structures shall be set back pursuant to the Shoreline Master Program, Chapter 4, Section C.3. For the purposes of this section each property line extending into the lake shall be construed as extending at the same angle as the property line on shore.

14.48.050 Exceptions to Building Setback Requirements.

- (a) The following modifications to the setback requirements identified in Section [14.48.040](#) shall be allowed:
 - (1) In the Suburban Residential and Waterfront Residential districts only, where the high point of the roof or any appurtenance of an accessory building exceeds 12 feet in height, the accessory building shall be set back

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from the rear lot (~~(boundary)~~)lines, tracts or easements an additional one foot for every foot of height exceeding 12 feet.

(2) In single-family residential zones, accessory structures may be located within the exterior side yard of a corner lot, provided the accessory structure meets the following conditions:

(i) The gross floor area of all accessory structures within the reduced setback area does not exceed 200(~~170~~) square feet.

(ii) The height of the accessory structure does not exceed eight feet.

(iii) The accessory structure is screened to a minimum height of six feet with an opaque fence or densely planted vegetation.

(iv) The accessory structure respects the minimum front yard setback and shall be no closer to the front property line than that of the principal house.

(v) The accessory structure is located no closer than 10 feet to the exterior side property line.

(b) In all single-family residential zones, the building setbacks from the street of the underlying zone may be reduced by five feet for living portions of the principal house only. This reduction does not apply to garages or other nonhabitable areas.

(c) In all single-family residential zones, the setback from a critical area buffer may be reduced to five feet for uncovered decks, provided sufficient room is provided to construct and maintain the deck without disturbing the buffer area.

(d) In all single-family residential zones, unenclosed front porches may be constructed to be as close as 15 feet of the ultimate street right-of-way.

(e) In all residential zones, fences which do not exceed six feet in height may be located along property lines which do not abut a public right-of-way. No fence may exceed 42 inches in height within the front yard setback abutting a public right-of-way or within 10 feet of an exterior side yard right-of-way. On exterior side yards, the area between the fence and sidewalk shall be maintained by the property owner. Where fences are built or hedges are maintained on top of or within five feet of a retaining wall on the uphill side, the retaining wall and fence or hedge shall be measured as one structure for the purposes of determining setback requirements. The height shall be the vertical distance measured from the mean elevation of the finished grade around the perimeter of the retaining wall to the highest point of the hedge or fence.

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Table 14.48-I: Density and Dimensional Standards

Zone	Minimum Lot Size		Minimum Residential Densities (Minimum Square Feet per Dwelling Unit)	Minimum Lot Width (ft.)	Building Setback Requirements Minimum Distance, in feet, from: ¹									Height Limitation (ft.)
	Standard Subdivision	Cluster Subdivision			Nonarterial Street Right-of-Way Line		Nonarterial Street Centerline((*) ¹		Ultimate Arterial Street Right-of-Way Line		Lot ((Boundary) Line, Tract or Easement ¹	((Lake (Ordinary High Water Mark)))	((Critical Area Buffer	
					Building	Freestanding Sign	Building	Freestanding Sign	Building	Freestanding Sign	Building and Freestanding Sign			
Waterfront Residential	9,600 ft ²	7,500 ft ²	9,600 ft ²	50	25	12.5	55	42.5	25	12.5	5	((50	+0	35
Suburban Residential ((**)) ²	5 acres/ 9,600 ft ²	5 acres/ 7,500 ft ²	5 acres/ 9,600 ft ²	80	25	12.5	55	42.5	25	12.5	5	50	+0	35
Urban Residential ((**)) ²	5 acres/ 7,500 ft ²	6,000 ft ²	7,500 ft ²	60	20	10	50	40	20	10	5	50	+0	35
High Urban Residential	3,600 ft ²	N/A	3,600 ft ²	40	15	5	45	35	20	5	5	50	+0	35
Multi-Family Residential	3,000 ft ²	N/A	0 ft ²	50	0	0	30	30	10	0	0	50	+0	60
Neighborhood Commercial	3,000 ft ²	N/A	0 ft ²	0	0	0	30	30	0	0	0	50	+0	35
Mixed Use	3,000 ft ²	N/A	0 ft ²	0	0	0	30	30 ft ²	0	0	0	50	+0	60
Local Business	3,000 ft ²	N/A	0 ft ²	0	0	0	30	30	0	0	0	50	+0	60
Central Business District	3,000 ft ²	N/A	0 ft ²	0	0	0	30	30	0	0	0	50	+0	60
Planned Business District	0 ft ²	N/A	0 ft ²	0	0	0	30	30	0	0	0	50	+0	((35)) <u>40</u>
Sub-Regional Commercial	0 ft ²	N/A	0 ft ²	10	0	0	30	30	0	0	0	50	+0	85
Light Industrial	0 ft ²	N/A	N/A	10	0	0	30	30	0	0	0	50	+0	85
General Industrial	0 ft ²	N/A	N/A	10	0	0	30	30	0	0	0	50	+0	85
Public/Semi-Public	0 ft ²	N/A	N/A	0	0	0	0	0	0	0	0	50	+0))	60

((*)¹ See Section [14.48.040\(a\)\(1\)](#) for use of centerline.

((**))² See Section [14.48.100](#) for use of five acres or square feet requirements.

³ Eaves and other minor architectural features may project into the required setback up to 18 inches.

⁴ If property is located on Lake Stevens or Catherine Creek or has wetlands, please refer to the required setbacks in the Shoreline Master Program and Chapter 14.88 Critical Areas.

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14.48.070 Cluster Subdivisions.

- (a) In any single-family residential subdivision or short subdivision of six lots or more, a developer may create lots that are smaller than those required by Section [14.48.010](#) if such developer complies with the provisions of this section and if the lots so created are not smaller than the minimums set forth in Table 14.48-I.
- (b) The intent of this section is to authorize the developer to decrease lot sizes and leave the land “saved” by so doing as usable open space, thereby lowering development costs and increasing the amenity of the project without increasing the density beyond what would be permissible if the land were subdivided into the size of lots required by Section [14.48.010](#).
- (c) The amount of usable open space that must be set aside shall be determined by:
- (1) Subtracting from the standard square footage requirement set forth in Section [14.48.010](#) the amount of square footage of each lot that is smaller than that standard;
 - (2) Adding together the results obtained in subsection (c)(1) of this section for each lot.
- (d) The provisions of this section may only be used if the usable open space set aside in a subdivision comprises at least 10,000 square feet of space that satisfies the definition of usable open space(~~set forth in Section 14.52.030 and if such usable open space is otherwise in compliance with the provisions of Chapter 14.52).~~).
- (e) The setback requirements of Sections [14.48.040](#) and [14.48.050](#) shall apply in cluster subdivisions.

14.56.080 Street Width, Sidewalk, and Drainage Requirements in Subdivisions.

- (a) Streets are intended to serve several functions. These functions vary depending on the classification of the street: (1) to carry motor vehicle traffic, provide on-street parking; (2) to provide for safe and convenient pedestrian and nonmotorized travel; and (3) to aid in managing stormwater. The requirements outlined in this chapter are intended to ensure these objectives are met.
- (b) All existing and planned streets which the City deems necessary for the completion of the City’s transportation system are shown and classified in the City’s Transportation Element of the Comprehensive Plan. However, the list of planned streets is nonexhaustive and other streets may be proposed by a permit applicant.
- (c) Any permit application shall be reviewed for conformance with the Transportation Plan. If a planned street is shown to run through or adjacent to a property proposed for development, the proposal must include roadway dedication and improvements which are generally in conformance to the plan, and meet the development standards identified in this chapter.
- ~~((d) All public streets shall be constructed in accordance with the currently adopted version of the Engineering Design and Development Standards for the City of Lake Stevens, except as modifications may be allowed for traffic calming purposes in compliance with the requirements contained in Section [14.56.260](#).)~~
- ~~(d)((e))~~ Whenever convenient access from a subdivision to adjacent schools, parks or other public facilities is not provided through the dedication and improvement of streets pursuant to this chapter, the developer may be required to include an unobstructed easement of at least 10 feet in width and construct a pathway to provide such access.

14.56.100 Dead End Streets/Cul-de-Sacs.

- (a) Dead-end streets shall be avoided. Cul-de-sacs may be used only when conditions warrant their use:
- (1) Whenever a dead end street serves four or more units, or
 - (2) Extends more than 150 feet from edge of the intersecting right-of-way to the farthest extent of the road.
- (b) When allowed under subsection (a) of this section, all permanent dead-end streets (as opposed to temporary dead-end streets; see Section 14.56.060(d)) shall be developed as cul-de-sacs in accordance with the standards set forth in subsection (d) of this section.
- (c) Except where no other practicable alternative is available, such streets may not extend more than 500 feet (measured to the center of the turnaround).
- (d) The right-of-way of a cul-de-sac shall have a radius of 50 feet. The radius of the paved portion of the turnaround (measured to the face of the curb) shall be 40 feet, with curb, gutter, ~~(landscape strip,)~~ sidewalk and utility strip within the remaining 10 feet.
- (e) The city will consider the use of alternative turnarounds described in the EDDs on a case by case basis for private tracts and easements.

14.56.130 Construction Standards and Specifications.

All public streets, sidewalks, curbs and gutters and other improvements shall be constructed in accordance with the current of the Engineering Design and Development Standards (EDDs) for the City of Lake Stevens. All such

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facilities shall be completed in accordance with these standards except for deviations as provided for in Section 14.56.135 and modifications allowed for traffic calming purposes in compliance with the requirements contained in Section 14.56.260. In cases where there is a conflict between the EDDS and municipal code, the municipal code shall be the controlling document. ((Construction and design standards and specifications for streets, sidewalks, and curbs and gutters are contained in the currently adopted version of the Engineering Design and Development Standards for the City of Lake Stevens, and all such facilities shall be completed in accordance with these standards except for deviations as provided for in Section 14.56.135.))

14.56.135 Deviations to Construction Standards and Specifications.

Deviations to the Engineering Design and Development Standards may be granted by the Public Works Director when situations arise where alternatives to the standards may better accommodate existing conditions, overcome adverse topography or allow for more cost-effective solutions without adversely affecting safety, operations, maintenance or aesthetics pursuant to subsection (c) of this section.

(a) Unless otherwise specified in this title, deviations may only be granted for standards and specifications that relate to and implement Sections [14.56.080](#)(d) and (e), Table 14.56-I (except right-of-way type and standards for state highway), and Sections [14.56.100](#)(b) and (d).

(b) Deviations shall be processed in accordance with the Engineering Design and Development Standards~~((administrative guideline specified in Section [14.04.120](#)(b)(10))~~)).

(c) Requests for deviation shall, at a minimum, comply with the following criteria:

- (1) The deviation will achieve the intended result of the standards with a comparable or superior design and quality of improvement;
 - (2) The deviation will not adversely affect safety or operations;
 - (3) The deviation will not adversely affect maintenance and related costs;
 - (4) The deviation will not adversely affect the environment; and
 - (5) The deviation will not adversely affect aesthetic appearance.
- (d) An annual report of deviation requests shall be submitted to the City Council.

14.68.020 Signs Excluded From Regulation.

The following signs are exempt from regulation under this title:

(a) Signs not exceeding four square feet in area that are customarily associated with residential use. Examples include names of residents, addresses, no parking, no trespassing, beware of dog and security signs.

(b) Signs erected by or on behalf of or pursuant to the authorization of a city, county, school district, state or federal governmental body, for public purposes including legal notices, identification and informational signs, and traffic, directional, or regulatory signs.

(c) Official signs of a noncommercial nature erected by public utilities.

(d) Flags, pennants, or insignia of any governmental or nonprofit organization when not displayed in connection with a commercial promotion or as an advertising device.

(e) Integral decorative or architectural features of buildings or works of art, so long as such features or works do not contain business identification, trademarks, moving parts, or lights, or are not displayed in connection with a commercial promotion or as an advertising device.

(f) Signs directing and guiding pedestrian and/or automobile traffic on private property that do not exceed four square feet each and that bear no advertising matter.

(g) School and church: bulletin boards, identification signs, and directional signs that do not exceed one per abutting street and 16 square feet in area per side and that are not internally illuminated.

(h) Signs painted on or otherwise permanently attached to currently licensed motor vehicles that are not primarily used as signs.

(i) Signs proclaiming religious, political, or other noncommercial messages that do not exceed one sign per abutting street and 16 square feet in area and that are not internally illuminated.

(j) Names of buildings, commemorative plaques or tablets, and similar noncommercial signs when carved into stone, concrete, or similar material, or made of bronze, aluminum, or other permanent-type construction, made an integral part of the structure, and projecting no more than two inches from the wall (when installed on a building), or at grade (when installed on the ground).

(k) Public information stations such as kiosks, bulletin boards, or similar devices used to convey community information.

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14.68.110 Sign Illumination and Signs Containing Lights.

(a) No sign within 150 feet of a residential zone may be illuminated between the hours of midnight and 6:00 a.m., unless an opaque screen which effectively blocks view of the sign from the residential zone is located between the residential zone and the sign.

(b) Lighting directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly into a public right-of-way, adjacent properties, or into the sky.

(c) Internally illuminated signs are allowed only within Commercial, Industrial and Public/Semi-Public Zone districts. This prohibition does not apply to the following:

(1) Signs that do not exceed two square feet in area and that convey the message that a business enterprise is open or closed or that a place of lodging does or does not have a vacancy;

(2) Neon signs less than nine square feet and/or mounted to be seen through a window and meeting all other requirements of this chapter;

(3) Signs for churches, synagogues and temples (use class 5.200), except that changeable text signs may not be internally illuminated pursuant to Section ~~14.68.(040)~~084(b).

(d) No sign or illuminated tubing or strings of lights may contain flashing or intermittent lights or lights of changing degrees of intensity. This prohibition does not apply to temporary signs erected in connection with the observance of holidays.

14.68.130 Maintenance of Signs.

(a) All signs and structural components shall be kept in a state of good repair.

(b) If a sign advertises an entity, service, or goods or other activity that is no longer available on the site, that sign shall be considered abandoned and shall, within 30 days after such abandonment, be removed by the sign owner, owner of the property where the sign is located, or other party having control over such sign.

(c) If the message portion of a sign is removed, leaving only the supporting "shell" of a sign or the supporting braces, anchors, or similar components, the owner of the sign or the owner of the property where the sign is located or other person having control over such sign shall, within 30 days of the removal of the message portion of the sign, either replace the entire message portion of the sign or remove the remaining components of the sign. This subsection shall not be construed to alter the effect of Section 14.68.~~((075))~~150(c), which prohibits the replacement of a nonconforming sign, nor shall this subsection be construed to prevent the changing of the message of a sign.

14.76.090 Additional Screening Requirements.

(a) Due to the potential for adverse impacts between the following noncompatible uses, a 30-foot wide landscaped screen shall be maintained between State Route 204, State Route 92 and/or State Route 9 and all residential and industrial uses.

(b) The screen shall have a height of at least 30 feet at maturity. It is intended to exclude all visual and noise contact between uses in all seasons of the year. The use of existing significant trees which are not prone to windthrow within the screen is strongly encouraged.

(c) The Planning Director may approve reduced buffer widths to prevent denial of all reasonable use of property.

14.76.120 Retention and Protection of Large Trees.

(a) Every development shall retain all existing significant trees and significant stands of trees unless the retention of such trees would unreasonably burden the development or in the opinion of the planning director cause a significant safety problem. The applicant for a land use permit or preliminary subdivision approval shall, with the application, submit an assessment prepared by a certified arborist, which makes recommendations for protection of trees consistent with this chapter.

(b) The retention of significant trees and significant stands of trees unreasonably burdens a development if the desired location of improvements on a lot or the proposed activities on a lot would have to be substantially altered and such alteration would work an unreasonable hardship upon the developer.

(c) Where significant trees and significant stands of trees are removed because their retention would unreasonably burden a development, a tree survey shall be provided, showing size, type, and location of all significant trees and stands of trees. Prior to removal, the developer shall coordinate with the City which trees are to be protected.

(d) Any unprotected significant trees removed shall be replaced with one-gallon-sized native species at a ratio of 3:1. During plat and home construction the developer shall provide adequate protection of retained and replacement trees from damage.

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(e) If it is physically impractical to replant all replacement trees on-site, then the applicant shall mitigate the loss of trees by either planting trees on public property within the City as approved by the planning director, and/or paying a mitigation fee into the City's tree mitigation in-lieu fund. This fee shall be set forth in the City's fee resolution, and equal the cost of purchasing and planting the trees.

(f) Prior to any clearing activities, the city shall map and inventory all trees identified for protection. If any of the protected trees are removed or damaged to the extent that their ability to survive is seriously threatened, without the City's prior written consent, the loss shall be remedied pursuant to Section [14.28.040\(c\)](#).

(g) Replacement trees approved to be installed on public property shall be planted prior to recordation of a final plat, or issuance of a building permit, whichever comes first.

(h) Replacement trees approved to be installed on residential lots shall be planted prior to issuance of a certificate of occupancy for that lot.

(i) If space that would otherwise be devoted to parking cannot be so used because of the requirements of subsections (a) or (b) of this section, and, as a result, the parking requirements set forth in Chapter [14.72](#) cannot be satisfied, the number of required spaces may be reduced by the number of spaces lost because of the provisions of subsections (a) and (b) of this section, up to a maximum of 15 percent of the required spaces.

(j) Whenever construction, clearing or grading activities occur on a site in which trees are required to be protected pursuant to this title, the following measures shall be taken to ensure said protection:

(1) Prior to commencing any site work, the applicant shall submit a plan to the Department of Planning and Community Development which identifies types and locations of barriers that will be placed around protected trees to aid in the avoidance of accidental damage to the trees. No site work will commence prior to the City inspecting and approving the location and installation of the barriers.

(2) No fill, excavation or other subsurface disturbance, operating, stacking or storing of equipment, or compacting of earth may be undertaken within the drip line of any of the protected trees, and no impervious surface may be located within 12 1/2 feet (measured from the center of the trunk) of any tree 18 inches in diameter or more. A drip line is defined as a perimeter formed by the points farthest away from the trunk of a tree where precipitation falling from the branches of that tree lands on the ground.

(3) Where vehicular/equipment access is required within the drip line of a tree, the soil, and incidentally the tree's roots, shall be protected with 10 inches of woodchips and/or plywood placed over the path of the vehicle to limit soil compaction and subsequent root damage. Before any vehicles may travel through the protected area, the developer shall submit an affidavit from a certified arborist that that measures installed are sufficient to protect the tree(s) in question.

(4) Stumps of trees to be removed within one-half of the radius of the critical root zone (CRZ), which is defined as CRZ equals one foot radius for every one inch of the tree's diameter, shall not be excavated but may be ground down to below the ground surface.

(5) Unwanted vegetation within the CRZ of a protected tree shall be removed by hand.

(6) Backfilling into a CRZ of a protected trees shall be done only with the written approval of a certified arborist. Only well drained soil with sufficient air space (sandy soils) are permitted.

(7) Upon completion of site clearing, protected trees may be pruned for deadwood, low hanging limbs and proper balance under the supervision of a certified arborist. Trees may be cabled and braced as recommended by the arborist.

14.80.030 Building Permits.

(a) No building or other structure shall be erected, moved, added to or structurally altered without a permit issued by the Building Official. No building permit shall be issued except in conformity with the provisions of this code.

(b) All applications for building permits shall be accompanied by plans in duplicate, drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations of existing buildings on the lot, if any; and the location and dimensions of the proposed building or alteration. The application shall include such other information as lawfully may be required by the Building Official, including existing or proposed building or alteration; existing or proposed uses of the building and land; the number of units, or rental units, the building is designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with, and provide for the enforcement of, this code. One copy of the plans shall be returned to the applicant by the Building Official after marking such copy approved or disapproved and attesting to same by having signed such copy. The second copy of the plans shall be retained by the Building Official for 180 days.

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(c) If work described in any building permit has not begun within 180 days from the date of issuance thereof, said permit shall expire. It may be cancelled by the Building Official, and written notice shall be given to the applicant.

(d) The applicant may request in writing an extension of the building permit from the Building Official. The Building Official may approve one or more 180-day extensions if justifiable cause is demonstrated pursuant to IBC Chapter 1, Section 105.

(e) In place of the Board of Appeals per the IBC, appeals of orders, decisions or determinations made by the Building Official have an administrative appeal to the Hearing Examiner as set forth in the following procedures:

(1) Appellant. The project applicant may appeal the decision.

(2) Form of Appeal. The applicant appealing a building permit decision must submit a completed appeal form which sets forth:

(i) A claim that the true intent of the building and construction code or the rules legally adopted thereunder have been incorrectly interpreted;

(ii) The provisions of the building and construction code does not fully apply; or

(iii) An equally good or better form of construction is proposed.

(3) Time to Appeal. The written appeal and the appeal fee, if any, must be received by the Department of Planning and Community Development no later than 4:00 p.m. on the fourteenth day following the date of the notice of decision.

(4) Notice of Appeal. If a building permit decision is appealed, a hearing before the Hearing Examiner shall be set and notice of the hearing shall be mailed or emailed to the appellant/applicant by the Building Official. Notice shall be mailed or emailed no less than 10 days prior to the appeal hearing.

(i) Public Hearing. The Hearing Examiner shall conduct an open record hearing on a building permit decision appeal. The appellant/applicant and the City shall be designated parties to the appeal. Each party may participate in the appeal hearing by presenting testimony or calling witnesses to present testimony.

(ii) The Hearing Examiner shall have no authority relative to interpretation of the administrative provisions of this code nor shall the Hearing Examiner be empowered to waive requirements of the Building and Construction code.

(iii) Decision on Appeal.

a. Within 14 days after the close of the record for the appeal of orders, decisions or determinations made by the Building Official, the Hearing Examiner shall issue a written decision to grant, grant with modifications, or deny the appeal. The Hearing Examiner may grant the appeal or grant the appeal with modification if:

1. The appellant/applicant has carried the burden of proof for meeting subsection (e)(2) above; and

2. The Examiner finds that the building permit decision is not supported by a preponderance of the evidence.

b. The Hearing Examiner shall accord substantial weight to the decision of the Building Official.

(5) Time Period to Complete Appeal Process. In all cases, except where the parties to an appeal have agreed to an extended time period, the administrative appeal process generally shall be completed within 90 days from the date the original administrative appeal period closed. The administrative appeal process shall be deemed complete on the date of issuance of the Hearing Examiner's decision.

(6) Appeal of Hearing Examiner Decision. An appeal from the Hearing Examiner's decision shall be brought before the Superior Court of Snohomish County in accordance with the Land Use Petition Act, Chapter 36.70CRCW, as amended.

14.88.010 Purpose and Intent.

The purpose of this chapter is to designate, classify, and protect the critical areas of the Lake Stevens community by establishing regulations and standards for development and use of properties which contain or adjoin critical areas for protection of the public health, safety, and welfare. The purpose and intent of this chapter is also to ensure that there is no net loss of the acreage or functions and values of critical areas regulated by this chapter.

(a) A project proponent shall make all reasonable efforts to avoid and minimize impacts to critical areas and buffers in the following sequential order of preference:

(1) Avoiding impacts altogether by not taking a certain action or parts of an action; or

(2) When avoidance is not possible, minimizing impacts by limiting the degree or magnitude of the action and its implementation, using appropriate technology, or by taking affirmative steps, such as project redesign,

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relocations, or timing, to avoid or reduce impacts and mitigating for the affected functions and values of the critical area; and

(3) Reducing or eliminating impacts over time by preservation and maintenance operations during the life of the action.

(4) Compensating for unavoidable impacts by replacing, enhancing or providing substitute resources or environments.

(b) Protect the public from personal injury, loss of life, or property damage due to flooding, erosion, landslides, seismic events, or soil subsidence.

(c) Protect against publicly financed expenditures due to the misuse of critical areas which cause:

(1) Unnecessary maintenance and replacement of public facilities;

(2) Publicly funded mitigation of avoidable impacts;

(3) Cost for public emergency rescue and relief operations where the causes are avoidable;

(4) Degradation of the natural environment.

(d) Protect aquatic resources.

(e) Protect unique, fragile, and valuable elements of the environment, including wildlife and its habitat.

(f) Alert appraisers, assessors, owners, potential buyers, or lessees to the development limitations of ~~critical((environmentally sensitive))~~ areas.

(g) Provide City officials with sufficient information to adequately protect critical areas when approving, conditioning, or denying public or private development proposals.

(h) Give guidance to the development of Comprehensive Plan policies in regard to the natural systems and environment of the Lake Stevens Watershed.

(i) Provide property owners and developers with succinct information regarding the City's requirements for property development.

14.88.310 Demonstration of Denial of All Reasonable Economic Uses.

In order to conduct a regulated activity in a critical area where the applicant is claiming that denial of authorization of such an activity would deny all reasonable economic uses of the property, the applicant must demonstrate that such is the case. If a regulated activity is allowed within a critical area it must minimize impacts per the "requirements" sections, below. If the Planning and Community Development Director determines that alteration of a critical area is necessary and unavoidable, written findings addressing each of the items listed in this subsection shall be placed in the official project file. Demonstration of denial of all reasonable economic uses shall be accomplished as follows:

(a) An applicant must demonstrate that denial of the permit would impose an extraordinary hardship on the part of the applicant brought about by circumstances peculiar to the subject property.

(b) For water-dependent activities, unavoidable and necessary impact can be demonstrated where there are no practicable alternatives which would not involve a wetland or which would not have less adverse impact on a wetland, and would not have other significant adverse environmental consequences.

(c) Where nonwater-dependent activities are proposed, it shall be presumed that adverse impacts are avoidable. This presumption may be rebutted upon a demonstration that:

(1) The basic project purpose cannot reasonably be accomplished utilizing one or more other sites in the general region that would avoid, or result in less, adverse impact on regulated ~~((environmentally sensitive))critical~~ areas; and

(2) A reduction in the size, scope, configuration, or density of the project as proposed and all alternative designs of the project as proposed that would avoid, or result in less, adverse impact on an ~~((environmentally sensitive))critical~~ area or its buffer will not accomplish the basic purpose of the project; and

(3) In cases where the applicant has rejected alternatives to the project as proposed due to constraints such as zoning, deficiencies of infrastructure, or parcel size, the applicant has made reasonable attempt to remove or accommodate such constraints.

14.88.320 Allowance of Regulated Use in a Critical Area Where Denial of All Economic Use is Demonstrated.

If an applicant for an activity or development proposal demonstrates to the satisfaction of the Planning and Community Development Director that application of these standards would deny all reasonable economic use of the property as provided by Section [14.88.220](#), development, as may be conditioned, shall be allowed if the applicant also demonstrates all of the following to the satisfaction of the Director:

(a) If proposed in a wetland, stream, creek, river, lake or other surface water, that the proposed project is water-dependent or requires access to the wetland as a central element of its basic function; or

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(b) If proposed in a critical area not listed in subsection (a) of this section, that it is not water-dependent but has no practicable alternative; and

(c) That no reasonable use with less impact on the critical area and its buffer is possible (e.g., agriculture, aquaculture, transfer or sale of development rights or credits, sale of open space easements, etc.);

(d) That there is no feasible on-site alternative to the proposed activities, including reduction in density, phasing of project implementation, change in timing of activities, revision of road and lot layout, and/or related site planning considerations, that would allow a reasonable economic use with less adverse impacts to the critical area and its buffer;

(e) That the proposed activities will result in minimum feasible alteration or impairment to the functional characteristics of the critical area and its existing contours, vegetation, fish and wildlife resources, hydrological, and geologic conditions;

(f) That disturbance of the critical area has been minimized by locating any necessary alteration in buffers to the extent possible;

(g) That the proposed activities will not jeopardize the continued existence of endangered, threatened, or sensitive species as listed by the Federal Government or the State of Washington. An applicant is required to confirm with the State of Washington that special conditions or recommendations are not required for candidate or monitor species;

(h) That the proposed activities will not cause significant degradation of groundwater or surface water quality;

(i) That the proposed activities comply with all State, local and Federal laws, including those related to sediment control, pollution control, floodplain restrictions, and on-site wastewater disposal;

(j) That any and all alterations to ~~((environmentally sensitive))~~ critical areas and their buffers will be adequately mitigated;

(k) That there will be no damage to nearby public or private property and no threat to the health or safety of people on or off the property;

(l) That the inability to derive reasonable economic use of the property is not the result of actions by the applicant in segregating or dividing the property and creating the undevelopable condition after the effective date of this chapter; and

(m) That deliberate measures have been taken to minimize the impacts. Minimizing impacts shall include but not be limited to:

(1) Limiting the degree or magnitude of the prohibited activity;

(2) Limiting the implementation of the prohibited activity;

(3) Using appropriate and best available technology;

(4) Taking affirmative steps to avoid or reduce impacts;

(5) Sensitive site design and siting of facilities and construction staging areas away from critical areas and their buffers;

(6) Involving resource agencies early in site planning;

(7) Providing protective measures such as siltation curtains, hay bales and other siltation prevention measures; and

(8) Scheduling the prohibited activity to avoid interference with wildlife and fisheries rearing, resting, nesting or spawning activities.

14.88.400 Classification.

Fish and wildlife conservation areas include:

(a) Lands containing priority habitats and species, including plant and/or animal species listed on Federal or State threatened or endangered species lists.

(b) Naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish or wildlife habitat. These do not include ponds deliberately designed and created from dry sites such as canals, detention facilities, waste-water treatment facilities, farm ponds, temporary construction ponds (of less than three years duration), and landscape amenities. However, naturally occurring ponds may include those artificial ponds intentionally created from dry areas in order to mitigate conversion of ponds, if permitted by a regulatory authority.

(c) Waters of the State, as defined in WAC Title [222](#), Forest Practices Rules and Regulations. Waters of the State shall be classified using the system in WAC [222-16-030](#). In classifying waters of the State as fish and wildlife habitats the following shall be used:

(1) Species are present which are endangered, threatened or sensitive;

(2) Existing surrounding land uses are incompatible with salmonid and other game fish habitat;

(3) Presence and size of riparian ecosystem;

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(4) Existing water rights.

(d) Lakes, ponds, and streams planted with game fish (defined at RCW [77.\(\(09\)\)08.020](#)), including those planted under the auspices of Federal, State, local, or tribal programs, or which support priority fish species as identified by the Department of Fish and Wildlife.

(e) State natural area preserves and natural resource conservation areas.

(f) Habitats or species of local importance. Such habitats or species may be locally listed per the process elucidated in Section [14.88.415](#).

(g) Streams shall be classified according to the stream type system as provided in WAC [222-16-030](#), Stream Classification System, as amended.

(1) Type S Stream. Those streams, within their ordinary high water mark, as inventoried as shorelines of the State under Chapter [90.58](#) RCW and the rules promulgated pursuant thereto.

(2) Type F Stream. Those stream segments within the ordinary high water mark that are not Type S streams, and which are demonstrated or provisionally presumed to be used by fish. Stream segments which have a width of two feet or greater at the ordinary high water mark and have a gradient of 16 percent or less for basins less than or equal to 50 acres in size, or have a gradient of 20 percent or less for basins greater than 50 acres in size, are provisionally presumed to be used by fish. A provisional presumption of fish use may be refuted at the discretion of the Planning and Community Development Director where any of the following conditions are met:

(i) It is demonstrated to the satisfaction of the City that the stream segment in question is upstream of a complete, permanent, natural fish passage barrier, above which no stream section exhibits perennial flow;

(ii) It is demonstrated to the satisfaction of the City that the stream segment in question has confirmed, long-term, naturally occurring water quality parameters incapable of supporting fish;

(iii) Sufficient information about a geomorphic region is available to support a departure from the characteristics described above for the presumption of fish use, as determined in consultation with the Washington Department of Fish and Wildlife, the Department of Ecology, affected tribes, or others;

(iv) The Washington Department of Fish and Wildlife has issued a hydraulic project approval, pursuant to RCW [77.55.100](#), which includes a determination that the stream segment in question is not used by fish;

(v) No fish are discovered in the stream segment in question during a stream survey conducted according to the protocol provided in the Washington Forest Practices Board Manual, Section 13, Guidelines for Determining Fish Use for the Purpose of Typing waters under WAC [222-16-031](#); provided, that no unnatural fish passage barriers have been present downstream of said stream segment over a period of at least two years.

(3) Type Np Stream. Those stream segments within the ordinary high water mark that are perennial and are not Type S or Type F streams. However, for the purpose of classification, Type Np streams include intermittent dry portions of the channel below the uppermost point of perennial flow. If the uppermost point of perennial flow cannot be identified with simple, nontechnical observations (see Washington Forest Practices Board Manual, Section 23), then said point shall be determined by a qualified professional selected or approved by the City.

(4) Type Ns Stream. Those stream segments within the ordinary high water mark that are not Type S, Type F, or Type Np streams. These include seasonal streams in which surface flow is not present for at least some portion of a year of normal rainfall that are not located downstream from any Type Np stream segment.

14.88.930 Designation Process.

(a) Critical area sending or receiving districts are considered overlay zones allowed per Section [14.\(\(36.070\)\)88.920](#), Qualifications for designation of land as a Critical Area Sending and Receiving Districts. Designation as a critical area sending or receiving district is the equivalent of a rezone and shall be accomplished by the same process, as specified in Section [14.16C.090](#).

(b) Underlying land use and zoning designations may be changed by the legislative authority granted to the City through its normal Comprehensive Plan amendment or rezoning procedures. However, the land will retain the critical area sending district designation until that designation is specifically removed.

(c) Land designated as a critical area sending or receiving district shall be shown as an overlay district on the Official Zoning Map. The map shall be modified upon each designation or revocation.

(d) Designation or revocation as a critical area sending or receiving district shall be recorded with the Snohomish County Recorder's Office and shall run with the land.

14.110.120 Appeals.

Appeals of requirements imposed pursuant to the chapter shall be governed by the appeal provisions of Chapter [14.16A.265\(\(20\)\)](#).

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The Official Zoning Map is corrected by amending the boundaries for the land use designation of “P/SP” on Parcel No. 29061900302700 (XXXXX 20th Street SE, Lake Stevens) and land use designation of “MU” on Parcel No. 29061900301200 (10227 20th Street SE, Lake Stevens) due to equal acreage of dedication and vacation changing boundaries only and not changing total acreage in each designation. The boundary change is a map correction and does not require a site-specific rezone.

ADDENDUM #6 TO INTEGRATED 2005 COMPREHENSIVE PLAN & FEIS

Matrix of Impacts and Mitigation Measures for 2013 Comprehensive Plan Docket Amendments and Code Housekeeping Amendments

Environmental Topic	Distinguishing Impacts of the Alternatives
Earth, Air Quality, Water Quality, Plants and Animals	Comprehensive Plan map and text amendments and code housekeeping amendments will have no impact on these environmental resources.
Noise	Comprehensive Plan map and text amendments and code housekeeping amendments will have no impact on noise.
Land Use	Comprehensive Plan map and text amendments and code housekeeping amendments will have no impact on these land use.
Relationship to Plans and Policies	Comprehensive Plan map and text amendments and code housekeeping amendments will have no impact on the overall Plan and Policies and are consistent with GMA and each other.
Population and Employment	Comprehensive Plan map and text amendments and code housekeeping amendments will have no impact on population and employment.
Housing	Comprehensive Plan map and text amendments and code housekeeping amendments will have no impact on housing.
Cultural Resources	Comprehensive Plan map and text amendments and code housekeeping amendments will have no specific impact on cultural resources.
Transportation	Comprehensive Plan map and text amendments and code housekeeping amendments will have no specific impact on transportation facilities.
Parks and Recreation; Fire, Police and Court Services; Libraries and Schools	The updated Parks and Recreation Element and associated projects added to the Capital Facilities Plan will benefit the city's park network and residents; however, the addition of other Comprehensive map and text amendments and code housekeeping amendments will not affect the overall provision of these services.
Water Supply; Sanitary Sewer; Storm Sewer; Solid Waste; Utilities (Electricity, Natural Gas, Telecommunications, Electromagnetic Fields)	Comprehensive Plan map and text amendments and code housekeeping amendments will have no impact on demand on utilities and public services and facilities.

ADDENDUM #6 TO INTEGRATED 2005 COMPREHENSIVE PLAN & FEIS

EXHIBIT A

Parks and Recreation Element

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Chapter 5: Parks, Recreation, & Open Space Element



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CHAPTER 5: PARKS, RECREATION, AND OPEN SPACE ELEMENT



INTRODUCTION

Public parks, recreational facilities and open spaces improve the quality of life for community residents by providing areas for families and friends to socialize. Parks and open spaces create natural buffers between neighborhoods and create functional corridors for humans and wildlife throughout the urban environment.

The Parks, Recreation and Open Space Element of the Comprehensive Plan “Park Plan” establishes specific goals and policies that will help guide decision-making related to acquisition, development and improvement of facilities and lands. The Park Plan contains an inventory of the City's current parks, recreation facilities and open spaces; analyzes the City's ability to provide adequate parks, open space, and recreation services; sets service standards and guidelines; and identifies implementation strategies.

Regulatory/Policy Background

The Park Plan conforms to the Growth Management Act (GMA) (Chapter 36.70A RCW) and considers the planning criteria developed by the Washington State Recreation and Conservation Office (RCO).

The GMA includes several sections relating to parks, recreation, and open spaces:

- RCW 36.70A.020(9) establishes a planning goal to “Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.” Capital improvements are included within the definition of “Public Facilities.”
- RCW 36.70A.030 (Mandatory Element). Cities may impose impact fees for the provision of Public Facilities (including publicly owned parks, open space and recreation facilities) (RCW 36.70A.040, RCW 82.02.050). Impact fees must be based on demands on existing facilities by new development, and additional improvements required to serve new development (RCW 82.02.090).
- RCW 36.70A.070(8) requires a park and recreation element, which is consistent with the capital facilities plan element as it relates to park and recreation facilities. Furthermore, this section states, “The element shall include: (a) Estimates of

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park and recreation demand for at least a ten-year period; (b) an evaluation of facilities and service needs; and (c) an evaluation of intergovernmental coordination opportunities to provide regional approaches for meeting park and recreational demand.”

- RCW 36.70A.150 states jurisdictions shall identify lands useful for public purposes and includes recreation.
- RCW 36.70A.160 requires jurisdictions to “identify open space corridors within and between urban growth areas. They shall include lands useful for recreation, wildlife habitat, trails, and connection of critical areas as defined in RCW [36.70A.030](#).”

The Park Plan includes the planning elements (listed below) as recommended by the RCO, which ensures continued eligibility for grant funds administered by that agency:

- Inventory,
- Public Involvement,
- Demand & Need Analysis,
- Goals & Objectives,
- Capital Improvement Program (six year plan for acquisition, development, renovation, & restoration projects), and
- Plan Adoption.

Facility Classifications, Characteristics and Inventory

There are many reasons for governments to provide parks, open space, recreational opportunities, cultural amenities, and trails for their citizens. Parks offer innumerable physical and psychological benefits by providing safe places for the community to exercise, recreate, meditate, and generally escape daily pressures. The City of Lake Stevens has a variety of parks ranging from small mini-parks serving a block or two to community parks designed to provide recreational opportunities to the City and beyond. In addition, special use and school parks, open spaces, and trails expand the variety of recreation areas available to the community. The inventory of parks, open spaces, and trails includes a mix of City and county facilities. Table 5.1 provides a brief description of the facilities, within or adjacent to the City of Lake Stevens, and describes the various park classifications; provides descriptions for each classification; and lists typical sizes, amenities and community service areas. Figure 5.1 illustrates the location of these same facilities and identifies prominent amenities associated with each facility. A detailed description of park types and individual parks and open spaces follows along with detailed maps of individual park classification types.

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Table 5.1 – Park, Recreation & Open Space Classifications and Characteristics

Type	Typical Size	Description & Typical Amenities	Typical Area Served
Community Park	> 10 acres	Informal, formal, active, & passive recreation parks that serve a community with a mix of features (e.g., playgrounds, landscaping, picnic areas, trails, sports fields, structures, parking, special features, permanent restrooms, etc.)	Within 2.5 miles of residential areas
Neighborhood Park	≤ 10 acres	Informal, active, & passive recreation areas that serve adjacent residential neighborhoods that provide multi-use areas with a mix of playgrounds, landscaping, picnicking, trails, single or small sports fields, parking, restrooms, etc.	Within 1 mile of residential areas
Mini-Park	≤ 1 acre	Small public/private areas including playgrounds, landscaping, plazas, and picnic benches that serve the needs of the immediate neighborhood or commercial district	Within 1/2 mile of residential or commercial areas
School Parks	Varies	Playfields, playgrounds, sports & recreation facilities located at schools, distributed throughout the City, that may substitute for other park types and compliment the City's inventory	Varies
Special Use Parks & Facilities	Varies	Any public or private park or facility providing a unique experience or specific recreation need and/or commercial purpose distributed throughout the City	Varies
Trails & Pedestrian Facilities	Varies	Soft surface or paved trails, walking paths, sidewalks or multi-use trails for walking, hiking, and bicycling distributed throughout the City	1 multi-use trail w/in 1 mile of residential areas
Open Space	Varies	Low intensity and passive recreation areas such as Native Growth Protection Areas, greenbelts, or undeveloped areas distributed throughout the City	Varies, based on resource availability

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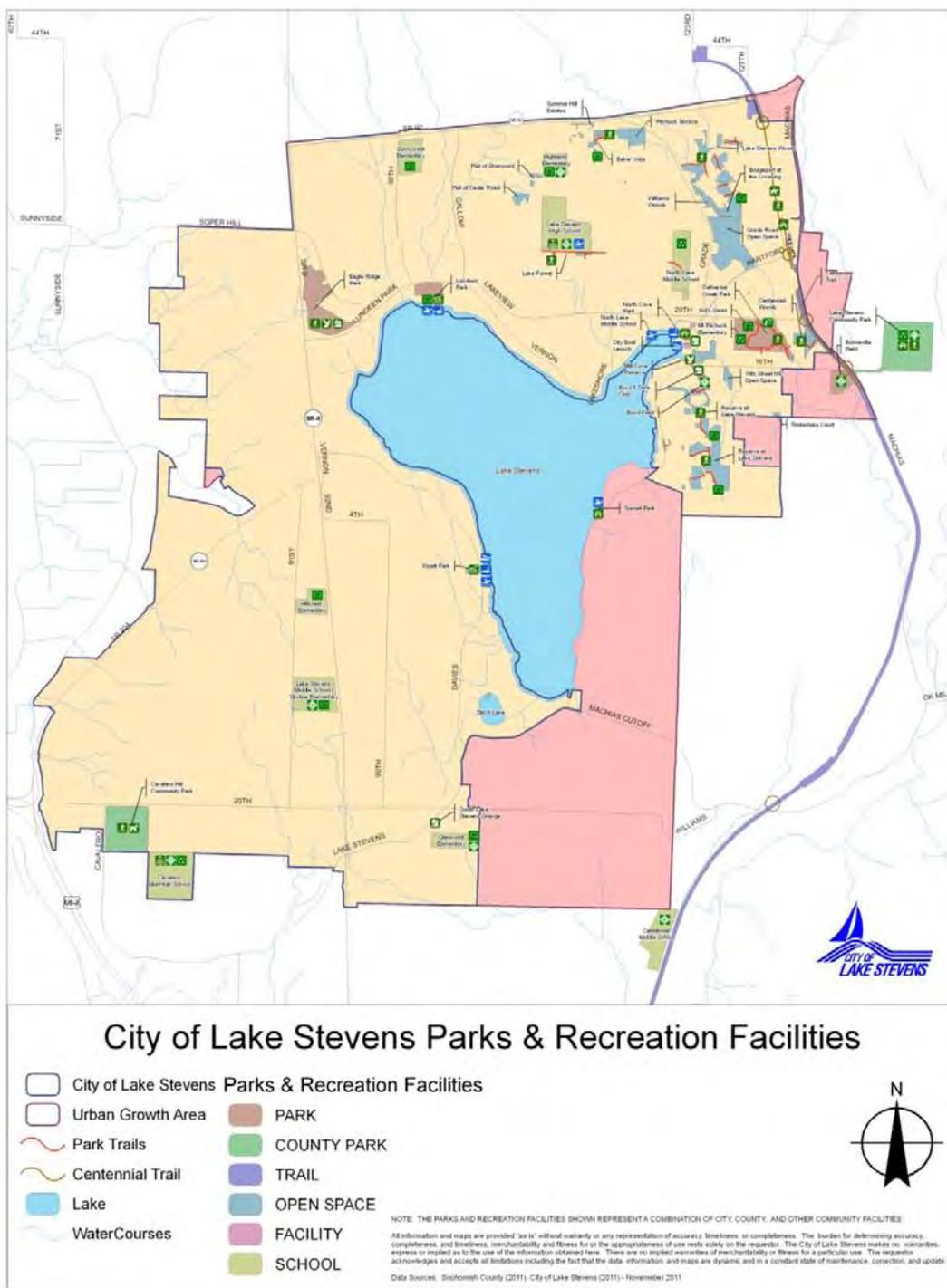


Figure 5.1 – Lake Stevens Parks & Recreation Facilities

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Inventory of Facilities

The following section includes an inventory of the parks, open space tracts, recreational facilities, and cultural programs and facilities found within or near the City. The City has approximately 146 acres of public parks, 10 acres devoted to special uses, 122 acres of open space and approximately seven miles of the Centennial trail (adjacent to or within City limits) in addition to approximately five miles of park trails. The numbers include City and county facilities (mini-parks, neighborhood parks and community parks), special use parks, trails and open space (undeveloped property and Native Growth Protection Areas). In addition to the public facilities described, there are approximately 145 acres of private parks and open spaces and an additional three miles of private trails that compliment the City's inventory. Different homeowner's associations are responsible for these facilities created during the subdivision process for specific neighborhoods.

Community Parks

Community parks have the largest service area and attract citizens from across the community. A large size and variety of amenities characterize community parks. These parks provide a mix of informal, active, and passive recreation areas with permanent facilities. Community Parks are generally at least 10-acres, but must be large enough to provide room for multiple uses such as sports fields, a recreation center, and group-use shelters alongside large open areas and playgrounds. Community parks should provide easy vehicular and pedestrian access to park users from the street network, sidewalks and bike lanes with dedicated parking areas. Community parks may benefit from multijurisdictional cooperation for facility planning, development and maintenance.

Cavalero Community Park – The park is located off 20th Street SE, in the southeastern part of the City. Because the park has a large undeveloped area and is located within the City of Lake Stevens, the City and Snohomish County are preparing to revise the master plan for this facility through a joint planning effort in the near future. Currently Cavalero has an off-leash dog area and undeveloped open space.



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Eagle Ridge Park — City Council adopted the Eagle Ridge Park Master Plan in 2010. The plan includes a capital cost estimate and a schedule to implement the Master Plan in three phases over a 10-15 year period. The master plan includes details for park development and proposed amenities and recreational opportunities. The overall vision for the park is that of an ‘outdoor classroom’ with both passive and active recreational activities that embrace and enhance the natural beauty of this park. Eagle Ridge currently houses the Lake Stevens Senior Center, soft trails, and open spaces. This park is notable for its eagle habitat. The master plan for this park envisions picnic shelters; a community garden; amphitheater; interconnected trails and educational features such as an interpretive center, outdoor classrooms and interpretive signage. The plan promotes the use of Low Impact Development in design and construction.



Lake Stevens Community Athletic Park

LSC Park, east of the City limits, is a 43-acre Snohomish County park. This park provides the largest athletic complex near Lake Stevens with baseball/softball fields, soccer fields and basketball courts. LSC Park also includes a picnic shelter, playground, walking path, permanent restrooms and landscaping.



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Table 5.2 – Community Park Inventory

Facility	Location	Owner	Acres	Picnic Shelter/Benches	Playground	Trail/Pathway	Basketball	Football/Soccer Fields	Softball/Baseball	View Corridor	Restrooms	Community Center	Open Space	Landscaping	Other
Cavalero Community Park	2032 79th Ave SE	Snohomish County	32.93			X				X			X		X
Eagle Ridge	2424 Soper Hill Road	City of Lake Stevens	28.20			X				X		X	X		X
Lake Stevens Community Park	1601 North Machias Rd	Snohomish County	43.24	X	X	X	X	X	X		X		X	X	
Total Acres			104.37												

As shown in Table 5.2, Lake Stevens Community Park provides the widest variety of recreational and active amenities. However, once Eagle Ridge and Cavalero parks are completed, each park will diversify the overall profile for community-level parks and contribute a unique set of amenities. Planning efforts for these parks should build on the unique characteristics of the site and address underrepresented or community preferred recreational uses. Figure 5.2 illustrates the distribution of community parks within and adjacent to Lake Stevens. As shown, there is a small gap, in the service area, located in the southeastern border of the Urban Growth Area. This small gap creates a minor divergence from the service standard for community parks. This gap may need to be addressed in the future if opportunities arise to provide additional meaningful recreation lands in the vicinity. It is more important to assure that Eagle Ridge and Cavalero parks provide a mix of high-quality recreational amenities, as they develop.

Neighborhood parks

Neighborhood parks are the “backbone” of the City’s parks inventory. These parks offer common gathering sites for social interaction, physical activity and play to residents from contiguous neighborhoods or a larger service area depending on amenities provided. Neighborhood parks should be located in highly visible and centralized locations that provide convenient and safe access for vehicles, pedestrians and bicyclists. This park type often incorporates passive and active recreational opportunities as well as provides multi-purpose facilities. Neighborhood parks should include permanent restrooms and parking areas.

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Catherine Creek Park – An eight-acre community park, which the City leases from the Lake Stevens School District. This park is located adjacent to Mount Pilchuck Elementary School, between 20th Street NE and 16th Street NE. The park is maintained primarily as a "natural" park with a network of trails, access to Catherine Creek, and picnic facilities. It also includes a unique disc golf course, installed and maintained by the community in 2000.



Centennial Woods Park — A 6.3 acre passive recreation park purchased in 1997 through the Snohomish County Conservation Futures grant program. This park includes trails through the site, which connect the Centennial Trail to Catherine Creek Park (with an eye on an eventual connection to downtown).

Lundeen Park – A nine-acre multi-use park located south of Lundeen Parkway at 99th Avenue NE. Facilities include a public pier, 500 feet of shoreline, swimming area, two basketball courts, a children's playground and a tot lot (Sarita's Playground), interpretive stations along a salmon-spawning creek, a caretaker's residence, public restrooms, a rinse-off shower, a covered picnic area, and 98 parking spaces. The Lake Stevens Chamber of Commerce has a Visitor Center at the park.



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North Cove Park – A four-acre waterfront park located at the extreme northeast end of the lake. Access is available to downtown Lake Stevens, next to the City Hall complex. The park has a 250-foot municipal boardwalk/pier (interpretation, fishing & picnicking, but no boat access), picnic tables, and two horseshoe pits. Parking facilities are shared with the City Hall complex. The City is currently planning for future expansion and development of the park.



Wyatt County Park – A three-acre regional park, formerly known as Davies Beach, located four miles from downtown, across the lake, on Davies Road. Facilities include a public boat launch, a dock (for boats), a fishing pier, a swimming area, restrooms, picnic tables, and 80 parking spaces. This park is especially busy during summer weekends.



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Table 5.3 – Neighborhood Park Inventory

Facility	Location	Owner	Acres	Picnic Shelter/Benches	Playground	Trail/Pathway	Basketball	Beach / Swimming	Dock	Boat Launch	View Corridor	Restrooms	Open Space	Landscaping	Other
Catherine Creek	12708 20th St NE	Lake Stevens School District	16.55	X		X							X		X
Centennial Woods	131st Dr NE	City of Lake Stevens	6.02			X							X		
Lundeen Park	10108 Lundeen Parkway	City of Lake Stevens	10.05	X	X		X	X	X		X	X		X	X
North Cove	Main St & North Lane	City of Lake Stevens	2.28	X		X			X		X			X	X
Wyatt Park	20 South Davies Rd	Snohomish County	2.48	X				X	X	X	X	X		X	X
Neighborhood Parks Total Acres			37.37												

As shown in Table 5.3, Lundeen Park provides the widest variety of amenities, notably beach access, picnic facilities and playgrounds. Both Centennial Woods and Catherine Creek provide good locations to expand nature trails and add permanent restrooms and parking areas. Many people consider North Cove Park the “heart of downtown”. This Park should undergo a master planning effort to complement the “Downtown Plan” when completed. All of the neighborhood parks could expand playground facilities and add small athletic components. North Cove and Lundeen parks should continue to promote and develop water-related activities.

Figure 5.3 illustrates the distribution of neighborhood-level parks within Lake Stevens. As shown, there are gaps in the services area in the southern and western part of the City. To provide equity of distribution, the City should concentrate on acquiring lands in the southern part of the City for additional neighborhood parks as opportunities arise. The gap in the western part of the City is smaller and not as crucial, as two large private parks and an informal trail network provides some recreational outlets for the neighborhoods west of SR-9.

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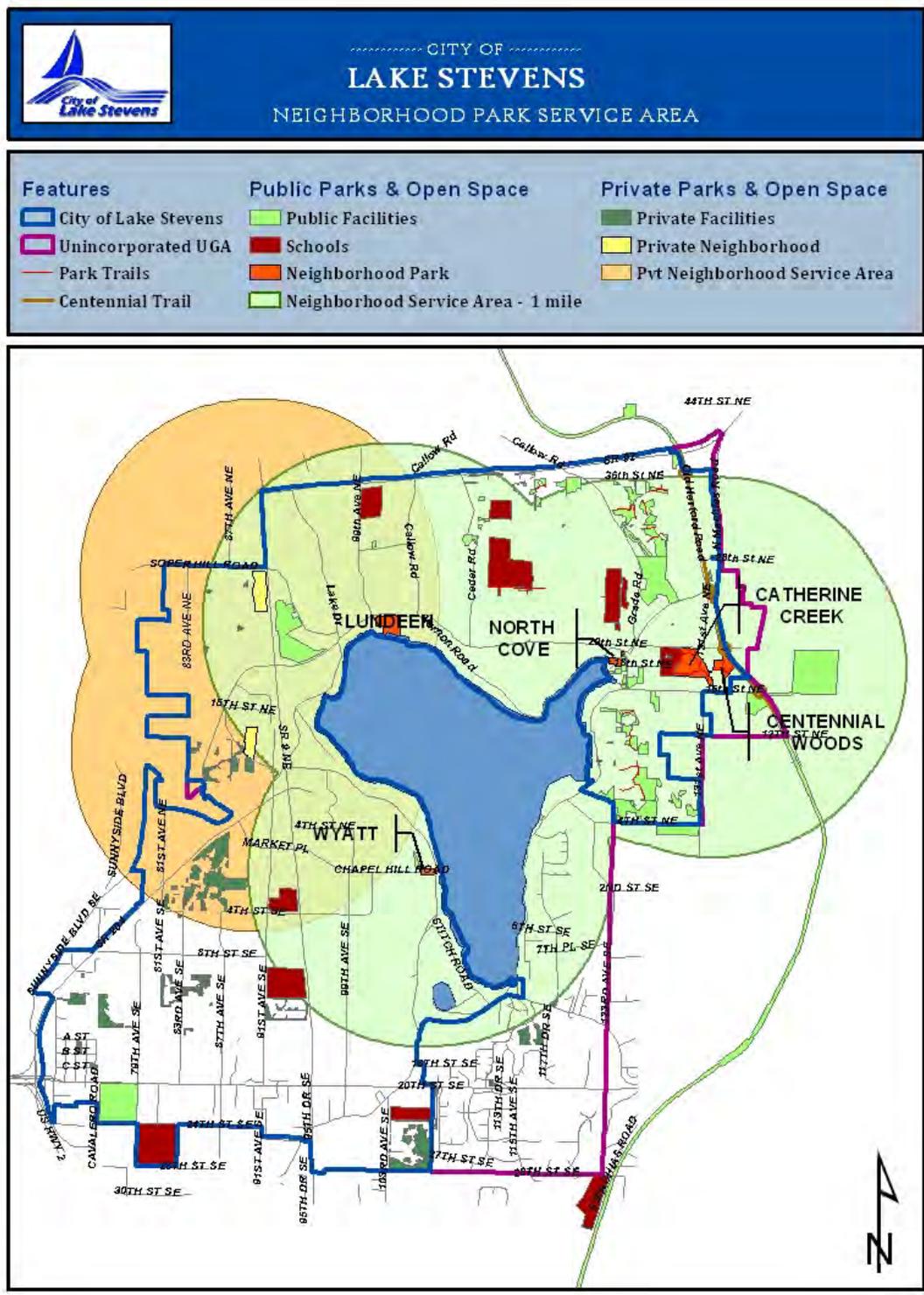


Figure 5.3 – Neighborhood Park Distribution

Mini-Parks

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Mini-parks often referred to as “pocket parks” or “tot lots” are the smallest recreation sites within the park inventory. Many of these were created with neighborhood subdivisions. Mini-parks should be easily accessible to surrounding neighborhoods or within commercial centers. Ideally, mini-parks connect neighborhoods or commercial centers by paths, trails, sidewalks, bikeways, or greenways. Mini-parks may be public or private, but must provide small-scale recreation opportunities such as a small playground, picnic benches or landscaping. Mini-parks could also be designed as linear parks developed along trails and paths or as open plazas in commercial areas.

Kid's Oasis Playground – A 0.5-acre playground located on the grounds of Mt. Pilchuck Elementary School. This park was built in 1992 as a community volunteer project, with help from individuals, businesses, the City, and the Lake Stevens School District. The playground is a "fantasy-style" wooden castle. Parking is available in the school parking lot. Children and parents use the playground throughout the year.



North Lakeshore Swim Beach – A popular 0.5-acre waterfront park providing lake access for summertime swimmers on North Cove. This park is located approximately 0.2 miles west of downtown on North Lakeshore Drive. Facilities include 560 square feet of useable beach, a 600 square foot municipal swimming dock, a portable restroom, and 10 parking spaces.



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Sunset Beach – This is a 0.25-acre, County-owned, waterfront park whose primary use is water access and picnicking. It is located 0.3 mile south of downtown on East Lake Stevens Road. Facilities include a public dock, picnic tables, and six parking spaces. This park is especially busy during the summer season.

Table 5.4 – Mini-Park Inventory

Facility	Location	Owner	Acres	Picnic Shelter/Benches	Playground	Trail/Pathway	Beach/Swimming	Softball/Baseball	Dock	View Corridor	Open Space	Landscaping
Mini-Park – Public												
Kids Oasis	12708 20th St NE	Lake Stevens School District	0.36		X							
North Lakeshore Swim Beach	North Lakeshore Dr	City of Lake Stevens	0.71				X		X	X		
Sunset Park	410 E Lake Stevens Rd	Snohomish County	0.60	X			X		X	X		X
Mini-Park – Created w/ Subdivisions Dedicated to the Public												
Semi-Public Mini-Parks			3.26		X	X					X	X
Mini-Park Parks Total Acres			4.93									

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North Lakeshore and Sunset Park provide parallel amenities, while Kids Oasis provides the largest community playground, as shown in Table 5.4. In addition to the public mini-parks there are approximately 18 acres of private mini-parks. The City will continue to promote mini-parks in new neighborhoods and commercial areas as they develop, especially where gaps exist in the City, as shown in Figure 5.4.

School parks constitute ancillary facilities, complimenting the community's inventory. School parks often provide recreational needs not available at other parks or provide similar functions as other park types. For example, elementary playgrounds provide a similar benefit to residential areas commonly met by mini-parks or neighborhood parks; whereas, middle schools and high schools may provide community-level or special-use park functions depending on available amenities. Because schools are typically located within residential neighborhoods, they are easily accessible and evenly distributed throughout the community. Additionally, school campuses provide area for sports activities, informal recreation uses, and potentially special activities.

The Lake Stevens School District (LSSD) owns the largest percentage of formal recreational/athletic facilities in the City. Many of the facilities are open to the public on a regular basis. The Park Plan promotes policies, which will allow the City to participate in jointly developing and managing parks and recreational facilities with the LSSD and other providers of leisure services to ensure efficient and effective use of the community's resources, avoiding redundant services and facilities.

As described in Table 5.5, the LSSD has six elementary schools – each has playground facilities and a mix of other amenities. There are three middle schools, one mid-high school and a single high school. Each school contains a different mix of athletic fields and play courts. The high school also houses a swimming pool, open to the public, which functions as a special use site.

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Table 5.5 – School Parks Inventory (LSSD)

Facility	Location	Playground	Trail/Pathway	Basketball	Track	Tennis	Football/Soccer Fields	Softball/Baseball	Swimming Pool	Gymnasium	Open Space
Cavelero Mid-High	8220 24th St SE		X		X	X	X	X		X	X
Centennial Middle	3000 S Machias Rd			X	X	X		X		X	X
Glenwood Elementary	2221 103rd Ave SE	X					X	X		X	X
Highland Elementary	3220 113th Ave NE	X					X	X		X	X
Hillcrest Elementary	9315 4th St SE	X		X	X			X		X	X
Lake Stevens High	2602 115th Ave NE				X	X	X	X	X	X	
Lake Stevens Middle/ Skyline Elementary	1031 91st Ave SE	X	X	X	X			X		X	X
North Lake Middle	2226 123rd Ave NE		X		X		X	X		X	X
Pilchuck Elementary	12708 20th St NE	X	X				X	X		X	X
Sunnycrest Elementary	3411 99th Ave NE	X	X	X						X	X

Open Spaces and Natural Resources

Open spaces consist of undeveloped lands, passive recreation areas or Native Growth Protection Areas, both public and private. Open spaces allow residents to engage in low-intensity and passive recreation activities such as hiking and bird/wildlife watching, while protecting natural areas and resources. Typical amenities include soft trails, scenic views, boardwalks, interpretive signage and scenic views. Open space may provide habitat corridors for wildlife and links between neighborhoods for humans. Open spaces frequently buffer potentially incompatible land uses. Open space should be distributed throughout the City.

Currently, the land use code requires dedication of Native Growth Protection Areas on lands with critical areas such as wetlands, streams, and steep slopes during development. The City also requires the dedication or creation of open space as a condition of approval for some subdivisions and attached housing developments. These set asides form a large portion of the open space inventory for the City that must

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be managed cooperatively between the City, homeowners, homeowners' associations, other agencies and even non-profit land trusts.

The City has many natural resources with the primary resource being Lake Stevens, a 1,040-acre lake and its tributaries, which provide migration, spawning, and rearing habitat for resident and anadromous fish species. The City provides a variety of habitat niches for terrestrial and aquatic wildlife and birds, notably there are many Bald Eagles that live around the lake – the most famous pair named George and Martha live in Eagle Ridge Park. Public agencies own many of these open spaces; others are dedicated through the development process or as gifts from property owners.

Generally, open spaces are located in critical areas and are retained in a natural state to protect the resource. In total, the City of Lake Stevens includes nearly 124 acres of public and semi-public open space and an additional 111 acres of privately held open space. Together these areas equal approximately four percent of the City. As previously noted, much of this property is within dedicated Native Growth Protection Areas. Open spaces with the potential for passive recreation uses are listed below.

Downtown Open Spaces – Approximately five acres of open space exist between 16th Street NE and 18th Street NE, in downtown Lake Stevens. This area could be developed into a natural classroom with interpretive information, and connected by trails, sidewalks, and boardwalks.



Mill Cove Reserve Park – A one-acre passive recreation park purchased in 1997 through the Snohomish County Conservation Futures grant program. The wooded site is at the location of the historic Rucker Mill and contains wetlands and shorelands. From the site, one can see the pilings that supported the old mill over the lake. The City will continue to seek grant opportunities to finance trails, signage, and other passive recreation amenities.

Grade Road/Hartford Open Space – A 25-acre open space originally purchased as a potential municipal campus site located between Grade Road and Hartford Drive. The City has not officially incorporated this site into the open space inventory. However, this site has the potential for an additional natural area for fish and wildlife habitat protection and passive recreation. Appropriate development could include boardwalks and interpretive signage. Additionally, this site could be linked to other natural sites near downtown Lake Stevens.

Trails and Pedestrian Facilities

Soft surface and paved trails, walking paths, sidewalks and multi-use trails for walking, hiking, and bicycling make up the category of trails and pedestrian facilities. Paths and

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trails enhance connectivity between neighborhoods, parks, schools, transit facilities and commercial areas throughout the community and provide opportunities for alternative transportation. Recreational paths and trails can meander away from the road network, creating a focus on interacting with the natural or built environment. Sidewalks provide safe, direct routes between points along a road network.

Approximately five miles of public or semi-public trails exist in the City. Many of the shorter trails link road segments. Some of the newer subdivisions include soft trails within the outer portions of critical area buffers or as paths between different areas. One trail circumscribes the western and southern borders of the high school property. Two miles of trails meander through Catherine Creek Park. Gravel trails leading through Centennial Woods Park connect Catherine Creek Park to the Centennial Trail. There is also a network of informal trails in the power line corridor, located in the western portion of the City. Over time, the City should look for opportunities to enhance and connect these trails into an organized network throughout the City.

The Snohomish County Centennial Trail skirts the eastern City limits, 1.7 miles of which are within the City. Nearly seven miles of the Centennial Trails is adjacent to the City between Centennial Middle School and the Rhododendron Trail Head.

The trail stretches between the City of Arlington to the north and the City of Snohomish to the south. The trail is planned to extend from the southern Snohomish/King County line to the northern Snohomish/ Skagit County line. The trail serves pedestrians, bicyclists, skaters, and equestrians.

Figure 5.5 provides an overview of public and private open spaces and trail locations within or near the City.

Special Use Parks & Facilities

Special use parks may be any park type or facility (private or public) with a specialized amenity that provides a unique experience, particular sport or activity and may provide a revenue income. Special use parks may include boat launches, cultural facilities, community centers, recreation centers/facilities or public art. Commercial enterprises geared toward the lake such as non-motorized uses or the Centennial Trail could compliment the City's inventory of special use facilities. The size of these facilities varies depending on the proposed use and available amenities. Special use parks should be distributed throughout the City. Because demand for special use facilities is generated from within and outside the City limits, the City, County, and other recreation providers should cooperate on locating special use sites.

Bonneville Field Ball Park – A three-acre baseball field, which also provides informal trailhead parking for the Centennial Trail, is located at the intersection of 16th Street NE and Hartford-Machias Road. The Lake Stevens Junior Athletic Association operates this site. Facilities include a baseball diamond and approximately 35 parking spaces. The park is used primarily by organized little league teams during the summer.

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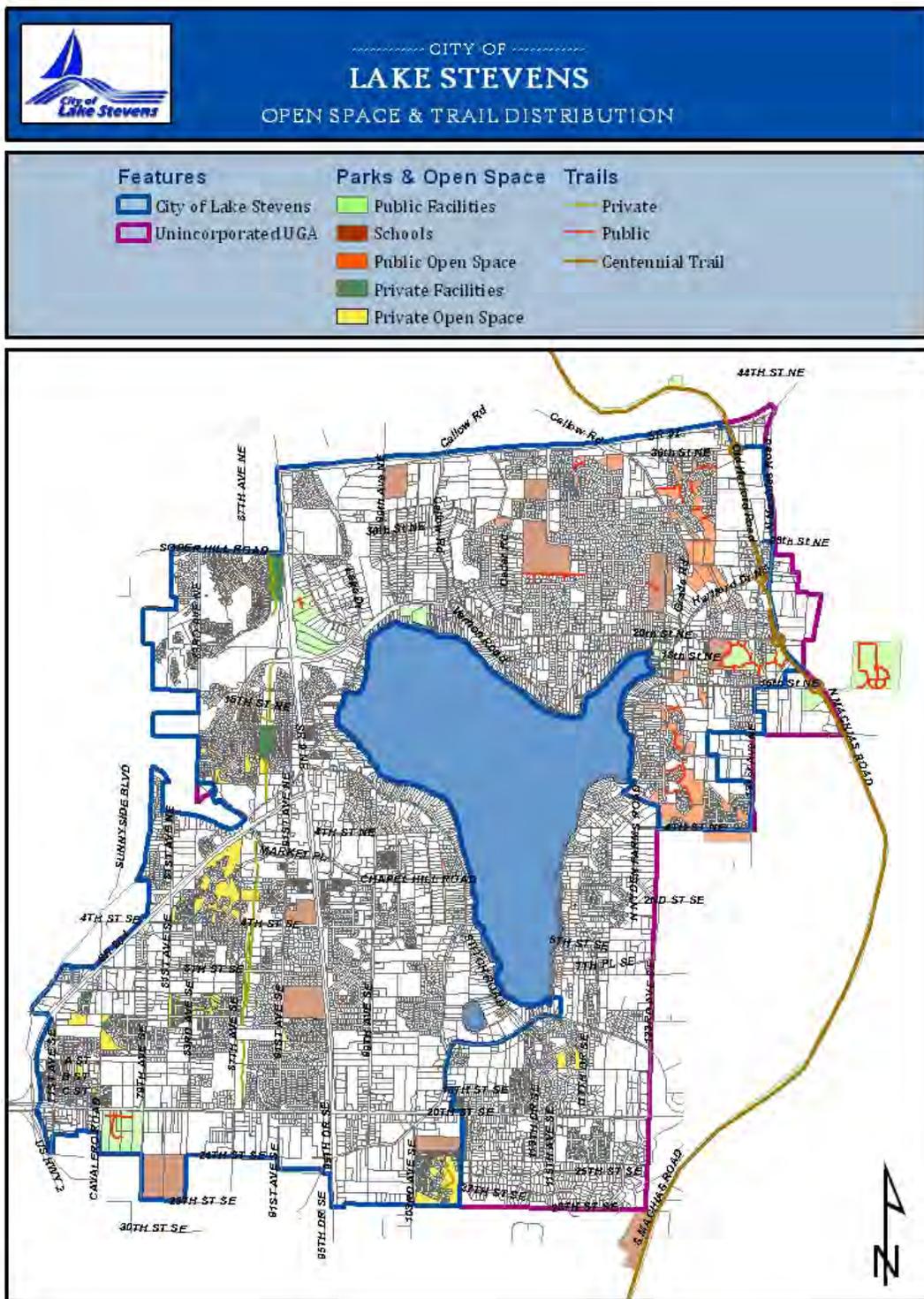


Figure 5.5 – Open Space and Trail Distribution

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City Boat Launch – A one-acre public boat launch and parking lot, with 30 spaces, is located on the eastern shore of North Cove. Access is from 17th Place NE, off Main Street. The Washington State Department of Fish and Wildlife owns this site and leases it to the City. Most users are boaters, anglers, and jet-skiers launching their watercraft. Use is heaviest on summer weekends.



Community Center – Within the City Hall complex is a 1,800 square foot meeting/activity hall with a small (<150 square foot) kitchen. The Center is used for public meetings, activities, and classes. The Center is available for rent by the public for specific activities.

Grimm House – The historic Grimm House, associated with the Rucker Mill, is located next to the Historical Museum and serves as an adjunct to the museum. Through volunteer efforts, the house has been relocated and renovated.

Historic Sites – The potential for historic sites in Lake Stevens is excellent because of the City's rich past linked to logging and railroads, evident in remains around the lake. For example, the concrete footing of the water tower serving the Rucker Brothers' Saw Mill is still located in North Cove Park. There are also trestle remains from the mill operations, in the lake, dating back to the turn of the century.

Lake Stevens Historical Museum – Adjacent to the Lake Stevens branch of the Sno-Isle Regional Library is the 1,600 square foot Lake Stevens Historical museum. The museum houses permanent and rotating exhibits illuminating the town's history, the Society's office, and a 1,000-piece historical photograph collection. The Lake Stevens Historical Society, formed in 1982, operates this museum. The Lake Stevens Historical Society is a group of about 150 individuals dedicated to preserving community history through the collecting of information and artifacts and educating the public.

Lake Stevens Senior Center – The Lake Stevens Senior Center, located at Eagle Ridge Park, welcomes all older adults to share in fellowship, classes and social events in the Lake Stevens area. The Senior Center is in a 2,800 square feet building with a commercial kitchen, dining/multi-purpose room, barrier-free bathrooms, office space and additional class and meeting rooms.

Lochsloy Field – The Lake Stevens School District owns this 15-acre site, located north of SR-92, between Lake Stevens and Granite Falls. Facilities include a baseball diamond, numerous soccer fields and a large parking area. Organized league teams use the park primarily during the summer.

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Sno-Isle Regional Library, Lake Stevens Branch – The City owns a 2,500 square foot building at 1804 Main Street that serves as a library. The Sno-Isle Libraries provide library services to the community here. The building’s size limits the possibility of increasing the collection, adding computer access and increasing programming. Based on current activity levels and 2025 population projections for the Lake Stevens area, Sno-Isle Libraries estimates a need for a 15,000 square foot facility. Table 5.6 lists some well-known and popular special use sites and facilities.



Table 5.6 – Special Use Inventory

Facility	Location	Owner	Acres	Football/Soccer Fields	Softball/Baseball	Dock	Boat Launch	Swimming Pool	View Corridor	Other
Bonneville Field	1530 N Machias Road	Snohomish County	7.32		X					X
City Boat Launch	North Drive	WA Dept of Fish & Wildlife	0.89			X	X		X	X
Community Center/City Hall	1805 Main Street	City of Lake Stevens	0.58							X
Grimm House	1804 Main Street	City of Lake Stevens	0.60							X
Library / Historic Society	1804 Main Street	City of Lake Stevens	0.25							X
Lochsloy Field	6710 147th Ave NE	Lake Stevens School District	15.17	X	X					
Special Use Parks Total Acres			24.81							

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Recreation Programs, Events and Special Providers

Aquafest – Lake Stevens’ annual City celebration usually held in July. It includes an aqua-run, children’s activities, fireworks, vendor booths and several parades.

Ironman Triathlon – Lake Stevens hosts an annual World Qualifying Triathlon event with competitors swimming, running and bicycling through Lake Stevens.

Lake Stevens Boys and Girls Club – A one-acre property located at the intersection of 16th Street NE and Main streets. Clubs, Inc., a non-profit organization composed of representatives of the Lake Stevens’ Lions Club and the Lake Stevens Junior Athletic Association (LSJAA), owns this property. The Boys and Girls Club includes a recently remodeled building, gymnasium and a small meeting room (50-60 person occupancy) available for rent. This room is available for no cost to service clubs and scout troops. The property also includes a baseball diamond (Bond field), used for youth team sports, and storage/concession area, operated and maintained by LSJAA, behind the gymnasium. Approximately 75 parking spaces are available on the property.

Lake Stevens Junior Athletic Association (LSJAA) – A non-profit youth organization, the LSJAA organizes seasonal teams for baseball, softball, soccer, football, and basketball. User fees fund LSJAA programs.

Lake Stevens School District – The LSSD offers evening and weekend classes in sports, hobbies, job skills, continuing education, and other recreational classes. The LSSD operates the indoor swimming pool. The LSSD Community Education program currently provides recreation and leisure service programming, such as summer youth recreation programs and adult programs in the fall, winter, and spring.

Rowing Clubs – Different rowing clubs use Lake Stevens frequently, hosting several large regattas on the lake, including the Washington State Games, and offer competitive rowing opportunities for juniors and adults.

Scouting, 4-H, Church Youth Programs, Other Special Interest Groups – All the scouting organizations are represented in Lake Stevens, as well as 4-H. Additionally, many of the churches have youth programs.

FUTURE NEEDS AND LEVELS OF SERVICE Methodology and Public Process

The City has traditionally based its level of service for parks and recreation facilities on an overall population ratio. Under this model, using the 2012 population estimate of 29,104, the City provides approximately five acres of developed or planned parkland per 1,000 residents. Comparatively, this is within the level of service ranges provided by neighboring communities. As a first step to providing an adequate land supply, setting a broad population-based goal is acceptable. However, there are inherent problems with

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this method. The City and its UGA have a limited amount of large usable lands remaining. As the City's population grows, it is not likely that it can continue to acquire a larger inventory of new parkland. Secondly, a population-based model ignores access to different types of parks, special features and an equitable distribution throughout the community. Finally, this older method does not inform a jurisdiction on the City's satisfaction with individual facilities, the inventory as a whole or identify preferences for specific types of amenities.

The current needs assessment and proposed service standards seek to address the deficiencies of the previous model. First, the City developed a park classification system previously described in Table 5.1. Second, the City completed an updated inventory of public and private facilities. The inventory categorized the facility by its classification, included current acreage and identified specific amenities available at each location. Third, the City proposed new level of services standards and mapped the distribution of different park facilities throughout the community based on the defined levels of service. The maps include an overall park distribution and individual distribution of different park types to determine access to residential areas. Fourth, the City developed and distributed a parks and recreation survey. The survey contained questions related to demographics, access to facilities, facility use & preferences, community desires, satisfaction and potential funding sources. Staff distributed the survey by direct mailing to a random sample population, posted it on the City's website and circulated at City events and meetings during the summer of 2013. Fifth, the Park and Recreation Planning Board held several regular meetings throughout the year and hosted two open houses, at different venues, to reach different City residents. The first open house included a presentation focusing on the current facility inventory and proposed changes to the level of service. The second open house was an informal "meet and greet" allowing Park Board members and staff to discuss parks and recreation issues directly with the public. Staff also briefed the Planning Commission and City Council about the project throughout 2013 at open public meetings. Finally, staff refined the earlier elements based on survey responses and comments from the community and City officials to develop the proposed model.

Level of Service Standards and Goals

The level of service standard (LOS) for park facilities are based on residential access and equitable distribution of facilities to different park types and trails community wide. The LOS standard for community parks is one park within 2.5 miles of residential areas. The LOS standard for neighborhood parks is one park within one mile of residential areas. The service goal for mini-parks (public and private) is one mini-park within 0.5 miles of residential areas. The LOS standard for multi-use trails is one trail within one mile of residential areas. The LOS standard for open space is five percent of the community. Within each facility, the City will strive to maintain a mix of amenities that reflect community use preferences as defined in the most current Lake Stevens Parks and Recreation Survey.

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Needs Assessment

Survey respondents suggested that community and neighborhood level parks should receive the highest priorities. Some of the most popular uses included walking/hiking, picnicking, beach/dock use, and swimming. Some of the most desired improvements include walking, hiking and multi-use trails, picnic areas, public docks, a community garden, playgrounds, a skate park, and improved restrooms. Overall respondents claim to be somewhat satisfied with the facilities and amenities. The most common complaint was a perceived lack of amenities. Respondents identified the cost of park maintenance and land for additional access as major issues to be resolved. Popular funding sources include public and private partnerships and user fees.

Through a process of applying the adopted parks and open space LOS standards, reviewing the current inventory and analyzing the 2013 Community Survey a clear picture of the City's needs for public park and recreation facilities emerges. Four main categories comprise the current needs assessment: Planning, Acquisition, Site Development and Improvements & Maintenance. Each element provides the basis for developing a capital improvement plan. Decision-makers should prioritize the selection of capital projects based on gaps in the service for different park types, distribution of amenities throughout the park network, community preferences, opportunities, and likelihood of partnerships with other jurisdictions or private groups.

Park Planning

To improve existing recreational facilities and design new facilities, the City needs to develop master plans for specific uses and existing parks, in addition to new facilities added to the inventory. Master plans should consider the distribution of existing inventoried facilities and identify locations for improving and developing preferred uses and amenities from the community survey. Specifically, new master plans should consider opportunities to add playgrounds, picnic areas, permanent restrooms and active recreation areas including the location of a permanent skate/BMX park. Additionally master plans should identify potential locations for additional trails and shoreline acquisition and development.

The following list includes a series of proposed planning efforts, based on responses from the community survey, to implement the Park Plan.

1. Coordinate with Snohomish County to plan park facilities jointly within or adjacent to the City. A specific example for a capital project would be developing a coordinated master plan for Cavalero Community Park. This project would meet the identified preference for development of community level parks. This site should include a more formal trail network and could continue to include an off-leash dog area. A master plan for Cavalero should provide a formal parking area, restrooms, playgrounds, scenic views, picnic areas, and consider the inclusion of some type of active recreation amenity.
2. Craft a master plan for trails emphasizing formalizing the power line trail system into a multi-use trail, developing a lakefront path within the public right-of-way

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along Lake Stevens that provides pedestrian access to the waterfront at various locations and creating trail links between the western and eastern portions of the City, ultimately linking to downtown and the Centennial trail. Survey respondents identified walking paths and multi-use trails as preferred uses consistently throughout the community survey.

3. Develop a master plan to improve North Cove Park that addresses the need for additional beach access, playgrounds, picnicking, restrooms, etc. – all of which are community-preferred improvements. A master plan for North Cove Park should parallel downtown planning efforts.
4. Develop a master plan for non-motorized uses of the waterfront including swimming areas, beach use, rowing/paddling and public docks/piers. Improved shoreline access and a variety of water-related activities are important identified issues by residents. This project should be coordinated with a variety of user groups and stakeholders.
5. Prepare an open space plan for the various downtown shoreline, wetland, and riparian open spaces (e.g., Mill Cove Reserve, 16th and 18th Street wetlands and Grade Road open space) with an emphasis on low impact development, interpretative education and linkages. The community identified habitat protection and development of interpretive sites as an important goal for the community parks, recreation and open space system.
6. Produce a park wayfinding program, to identify the locations of parks and recreational facilities throughout the community. A wayfinding program would be crucial to providing a uniform image and highlighting existing and proposed site improvements.

Acquisition

Based on the distribution of park facilities and survey responses, the City should identify opportunities to acquire the following lands to meet the recreational needs of City residents. Decision-makers should include one or more of these potential acquisitions as placeholders on the capital program list to act on as opportunities are identified.

1. The City should identify locations for two new public neighborhood level parks in the southern part of the City, near 20th Street SE. Acquisitions should include one park on each side of SR-9 to ensure equity of distribution. It is advisable to provide one park on the northern side of 20th Street SE that can be accessed on foot or park from the numerous developments occurring in this area.
2. The City should identify a location for a public neighborhood level park in the central part of City - west of SR-9. As noted earlier, acquisition of public property in this vicinity is important, but is secondary to acquiring lands in the southern part of the City because of the two large private parks in this area.
3. The City should identify locations for additional shoreline properties on Lake Stevens. Shoreline acquisition should consider expansion of current properties, a balance distribution of access points on all sides of the lake, lands that can provide a mix of active and passive recreation activities and linear access tracts for trails, paths and view corridors.

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4. Rights-of-way/easements for multi-use trails, pedestrian paths and sidewalks throughout the City with an emphasis on a lakefront locations, the power line corridor in the western part of the City and east/west connections to the Centennial Trail and downtown.

Site Development

Some projects are ready for immediate implementation and construction. Decision-makers should give these projects a high-priority for inclusion on the capital project list. As the City completes other master plans, Council should consider adding these as future capital projects.

1. Complete construction of Eagle Ridge Master Plan's Phase 1 improvements (e.g., roofing garage and barn, vegetation maintenance, landscaping, community garden, trail development, interpretive signs, interpretation center, etc.) and start construction of Phase 2 improvements (e.g., restroom facilities and trailhead parking area, etc.).

Park Improvements / Maintenance

Several projects do not need significant planning, but will help implement community desires and preferences and should be included on the capital project list. Such projects involve maintenance, repairs or improvements to existing facilities. Many of these projects could be completed through cooperative efforts between the City and stakeholder groups. Specific examples for consideration as a capital project follow.

1. Repair existing soft trails at Catherine Creek Park and Centennial Woods. This may include clearing brush and installing new surface materials on trails. The City should endeavor to define trailheads and install location and wayfinding signage between the two sites. As appropriate, City staff could install additional amenities at these sites including formal seating areas and picnic facilities along with restroom facilities.
2. Coordinate with user groups to repair and improve the disc golf course in Catherine Creek Park.
3. Construct a pedestrian pathway between Downtown Lake Stevens and the Centennial Trail along Hartford Drive NE terminating at land dedicated to the City for creating a new trail connection. The project would include improvements along Hartford Drive NE such as directional signage, striping and other safety features. The new trailhead should include landscaping, a paved trail connection, signage and possibly a seating area. If space is available, the site could include parking spaces for one or two cars.
4. Coordinate with the Washington Department of Fish and Wildlife on necessary repairs and improvements to the City boat launch. Improvements may include repairs to the boat launch, parking area, and addition of non-motorized launch.

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Capital Projects

An analysis of existing conditions and projected needs in the previous section highlighted the areas of concern and opportunities for Lake Stevens. The Capital Facilities Element contains a strategy for achievement of the City's goals in light of the existing conditions in the City and identified needs. The following list of different project types should be considered for inclusion in the Capital Facilities Element.

1. Master plan for Cavalero Community Park
2. Master plan for trails, paths and pedestrian facilities
3. Prepare an open space plan for the various downtown shoreline, wetland, and riparian open spaces
4. Purchase of rights-of-way/easements for multi-use trails, pedestrian paths and sidewalks in the power line corridor and around the lake
5. Identify locations for two new public neighborhood level parks in southern part of City, near 20th Street SE and purchase for future development
6. Identify additional shoreline properties for purchase as available
7. Complete construction of Phases 1 and 2 of the Eagle Ridge Master Plan
8. Repair existing soft trails at Catherine Creek Park and Centennial Woods.
9. Develop a trail connection from Downtown Lake Stevens to the Centennial Trail with a new trailhead at Hartford Rd

Financing

Parks and recreation facilities users do not necessarily recognize political boundaries; therefore, it is imperative that jurisdictions plan for and provide recreation facilities to meet the needs of the community jointly. Recognizing this fact also allows a more efficient system to be established using scarce tax dollars to provide for the recreational needs of regional populations. For example, it is more efficient to build a swimming pool between two jurisdictions where demand exists than to build two separate pools three blocks from each other simply because each City feels that tax dollars should be spent in individual communities. The City should continue to place emphasis on a balanced, cooperative approach to parks and recreation planning.

In accordance with the Revised Code of Washington 82.02.050 and 82.02.060, the City is to provide a balance between impact fees and other sources of public funds to meet its capital project needs. Revenues from property taxes, user fees (if imposed), sales taxes, real estate taxes, grants, and other revenue sources need to be used to pay the proportionate share of the growth-generated capital facilities costs. Therefore, the City's commitment to improving the parks system is not solely reliant on impact fees.

Impact Fees

Once an LOS is adopted, impact fees may be assessed under GMA to ensure that levels of services are maintained as the population grows. It is required that impact fees be based on the LOS in place at the time of development. It is in the City's interest to ensure impact fees are current as allowed under GMA based upon the level of

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service established in this element. The amount that could be charged new development would be determined through a separate fee study.

General Revenues

Unlimited General obligation bonds may be submitted to voters for park and recreation purposes. These bonds require approval by at least 60% of the resident voters during an election, which has a turnout of at least 40% of those who voted in the last state general election. The bond must be repaid from a special levy, which is not governed by the six percent statutory limitation on the property tax growth rate.

Grants

While the City has been successful in obtaining grants for parks, the lack of match has proved to be a constraint on obtaining even more grants. With a larger community, it is anticipated that the City's resources could be better leveraged with more and larger grants.

Special Revenue Funds

Conservation Futures: By state law, counties can elect to levy up to \$0.065 per \$1,000 of assess valuation for all County properties to acquire shoreline or other open space lands. In 1997, the City obtained conservation future funds to purchase about 21 acres of open space lands, contained in three parks.

Real Estate Excise Tax (REET): State law allows counties the option of imposing excise taxes on the sale of real estate. The tax may be imposed in \$0.25 per \$1,000 in sale value to be used to finance capital facility developments, including the acquisition and development of park and recreational facilities.

Foundations

As another source of revenue the establishment of a foundation is being explored. The Parks Board and Arts Commission have agreed to look at developing a non-profit 501C Foundation that would provide the ability for people to make tax-exempt contributions that directly support parks and art activities.

GOALS AND POLICIES

An analysis of existing park, recreation, and open space facilities along with community input provide the basis for establishing goals and policies within the Park Plan. The goals and policies provide guidelines and actions for achieving that Plan. Goals are broad intent statements that describe a desired outcome. Policies provide the framework for developing specific measurable actions.

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Vision – Ensure that the City has abundant, high-quality parks & recreation areas that balance recreational activities and enjoyment of the natural environment for the community.

GOAL 5.1 PROVIDE A HIGH-QUALITY, DIVERSIFIED PARKS, RECREATION AND OPEN SPACE SYSTEM THAT PROVIDES RECREATIONAL AND CULTURAL OPPORTUNITIES FOR ALL AGES AND INTEREST GROUPS.

Policies

- 5.1.1 Provide a system of multi-purpose neighborhood and community parks, throughout the community, accessible to all residents that meet the following levels of service:
 - a. Neighborhood Parks – one park within a one-mile radius of all residential areas and
 - b. Community Parks – one park within a 2.5-mile radius of all residential areas.
- 5.1.2 Provide a park, recreation and open space system with activities for all age groups and abilities, equally distributed throughout the community, with an emphasis on youth-oriented activities.
- 5.1.3 Provide a balanced mix of active recreational facilities including but not limited to court and field activities, skateboard/BMX areas, and multi-use trails and passive recreations facilities including but not limited to hiking/walking, shoreline access, and picnicking accessible to the largest number of participants.
- 5.1.4 Promote balanced lake access for pedestrians and motorized and non-motorized watercraft so all segments of the population can enjoy the lake and have access to its recreational opportunities.
- 5.1.5 Encourage the inclusion of performing art facilities in public parks and recreation areas and incorporate visual arts into the design of park features, such as railings, benches, buildings and other amenities.
- 5.1.6 Support the use of indoor community spaces for arts and crafts, music, video, classroom instruction, meeting facilities and other spaces for all age groups on a year-round basis.
- 5.1.7 When appropriate and economically feasible, participate in the development of special interest recreational facilities.
- 5.1.8 Continue to participate in the annual Aquafest community celebration.
- 5.1.9 Identify recreational and cultural needs opportunities for special needs populations.
- 5.1.10 Support the Lake Stevens Historical Society in their efforts to inventory significant historical and archaeological resources and to provide information to the community on its history.

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GOAL 5.2 PROVIDE AN INTERCONNECTED SYSTEM OF HIGH-QUALITY, ACCESSIBLE TRAILS AND GREENWAY CORRIDORS THAT OFFER DIVERSE, HEALTHY OUTDOOR EXPERIENCES WITHIN A VARIETY OF LANDSCAPES AND NATURAL HABITATS, PUBLIC FACILITIES, LOCAL NEIGHBORHOODS, BUSINESS DISTRICTS AND REGIONAL TRAILS.

Policies

- 5.2.1 Provide a comprehensive network of multi-use trails for pedestrians, bicycles, and skating using alignments along the public rights-of-way, through public landholdings as well as across cooperating private properties, which link residential neighborhoods to community facilities, parks, special use areas, commercial areas and the waterfront that meets the following level of service: one trail within one mile of residential areas.
- 5.2.2 Provide for a comprehensive inter-City trail system linking the downtown area, schools, parks, and the Centennial Trail.
- 5.2.3 Establish a multi-use trail around the lake, choosing a route that best provides lake access and/or views.
- 5.2.4 Establish a north/south trail under the power lines as identified in the Lake Stevens Center and 20th Street SE Corridor subarea plans.
- 5.2.5 Establish an east/west sidewalk trail along 24th Street SE and South Lake Stevens Road that will eventually connect to the Centennial Trail as identified in the 20th Street SE Corridor subarea plan.
- 5.2.6 Establish, expand, and/or improve nature trails and boardwalks through open spaces with an emphasis on Eagle Ridge Park, Catherine Creek Park, Centennial Woods, Mill Cove Reserve, and the Grade Road Open Space.

GOAL 5.3 PRESERVE AND ENHANCE OPEN SPACE AND NATURAL RESOURCES AREAS INCLUDING FISH AND WILDLIFE HABITAT, MIGRATION CORRIDORS, NATURAL MEADOWS, AND WATER RESOURCES.

Policies

- 5.3.1 Preserve open space corridors and buffers to provide separation between natural areas and urban land uses with a goal of maintaining five percent of City as open space.
- 5.3.2 Plan, locate and manage park and recreation facilities so that they enhance wildlife habitat, minimize erosion, complement natural site features, and create linkages within the developed area.
- 5.3.3 Balance the desire for public access and interpretive education with preservation of environmentally sensitive areas and other natural sites
- 5.3.4 Maintain and enforce leash laws and animal at-large laws to stem wildlife predation.
- 5.3.5 Preserve lake and other scenic views for the public when considering land use

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decisions and when siting park and recreation facilities.

5.3.6 Plan for an open space system that may include:

- a. Natural or scenic areas,
- b. Water bodies and drainage easements,
- c. Public/private passive park and recreation sites,
- d. Cultural, archaeological, geological and historical sites,
- e. Large reserve tracts, private parks, common ground, and buffer areas from residential development,
- f. Utility corridors, and
- g. Trail corridors that may function as wildlife corridors

GOAL 5.4 MAXIMIZE PARK FACILITIES BY LEVERAGING, SHARING AND EFFICIENTLY USING RESOURCES.

Policies

- 5.4.1 Cooperatively plan for joint-use facilities, meeting and classrooms, athletic fields, and other facilities with the Lake Stevens School District, Lake Stevens Junior Athletic Association, Snohomish County Parks Department and other public or private providers of recreation services and facilities that are of mutual benefit to each agency and the users/participants in the City and its Urban Growth Area.
- 5.4.2 Create a comprehensive, balanced park, recreation, and open space system that integrates City facilities and services with resources available from the Lake Stevens School District, Snohomish County and other state, federal, and private park and recreational lands and facilities in a manner that will best serve and provide for area residents' interests.
- 5.4.3 Support continued cooperation between the City, non-profit organizations, the Lake Stevens School District, and other agencies for continuation and development of recreation programming for youths, senior citizens, and other segments of the population and to avoid duplication, improve facility quality and availability, which reduce costs, and represent area resident's interests through joint planning and development efforts.
- 5.4.4 Establish inter-local agreements between the City, County, School District and private non-profit organizations, and other agencies to provide for athletic facilities to serve the needs of the City and the Urban Growth Area.

GOAL 5.5 MAINTAIN PARK FACILITIES TO MAXIMIZE LIFE OF THE FACILITIES AND TO PROVIDE AN ATTRACTIVE AND PLEASING ENVIRONMENT FOR USERS.

Policies

- 5.5.1 Design and develop facilities, which reduce overall facility maintenance and operation requirements and costs. Where appropriate, use low maintenance materials, settings or other value engineering considerations that reduce care and security requirements, and retain natural conditions and experiences.

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- 5.5.2 Develop a maintenance management system to estimate and plan for life cycle maintenance in addition to replacement costs.
- 5.5.3 Provide operation and maintenance to insure safe, serviceable, and functional parks and facilities. Provide adequate funding to operate and maintain existing and new special use sites.
- 5.5.4 The City shall establish creative methods to efficiently expand park and trail maintenance services such as encouraging volunteer efforts, continued use of the State Department of Corrections crews, and mutual coordination with other local agencies.
- 5.5.5 Where appropriate, the City should initiate joint planning and operating programs with other public and private agencies to provide for special activities like shoreline access, aquatic facilities, marinas, and community festivals.
- 5.5.6 In the design of parks, encourage the use of materials and designs to reduce the occurrence and impacts of vandalism. Parks design which provides for easily surveillance of facilities by residents and by police can reduce the incidence. Use of materials such as graffiti resistant coatings can reduce the impacts.
- 5.5.7 Repair acts of vandalism immediately to discourage park property and City recreation facilities from becoming targets for further such acts.
- 5.5.8 Ensure that all park and recreation facilities owned and operated by the City comply with ADA accessibility requirements.
- 5.5.9 Establish a formal volunteer network as volunteerism is a significant source of energy and ideas. The City must continue to tap and improve existing opportunities to involve the community in its own programs. The City shall formalize a volunteer program that include "adopt a park," and "adopt a trail," and similar programs.

GOAL 5.6 THE CITY RECOGNIZES THAT LAND IS IN HIGH DEMAND AND THAT ACQUISITIONS MUST BE PURSUED AS QUICKLY AS POSSIBLE TO IMPLEMENT THE COMMUNITY'S VISION CONCURRENTLY WITH DEVELOPING AND IMPROVING EXISTING FACILITIES TO ACHIEVE A HIGH-QUALITY AND BALANCED PARK AND RECREATION SYSTEM.

Policies

- 5.6.1 Add capacity at existing parks by expanding or improving facilities to accommodate current and future populations and desired uses including walking/hiking trails, active recreation, and passive recreation.
- 5.6.2 Acquire additional shoreline lands for trails, public docks, waterfront fishing, wading, swimming, boating and other water related recreational activities.
- 5.6.3 Cooperate with public and private agencies, and with private landowners to set aside land and resources necessary to provide high-quality, convenient park and recreation facilities before the most suitable sites are lost to development.

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- 5.6.4 Work with developers to identify additional parks, recreation and open space opportunities in redeveloping areas.
- 5.6.5 Prioritization for new park and recreation facilities shall take into consideration areas within the community, which are under-represented by parks, types of desired facilities not presently available, availability of properties appropriate for a particular type of park, and availability and opportunities for grants and other funding sources.
- 5.6.6 With a developer requirement of paying GMA based park mitigation fees, developers are still encouraged to install mini-parks voluntarily for the benefit of their developments, however such mini-parks shall not be credited against meeting the developer's mitigation obligation. The City has not defined an LOS for mini-parks, but encourages one park within a half-mile radius of all residential areas

GOAL 5.7 DEVELOP PARK AND TRAIL DESIGN STANDARDS.

Policies

- 5.7.1 Standardize facility design to ensure consistency and quality in the Lake Stevens park system, and establish a standard for trail signage including interpretive, safety, and regulatory signs.
- 5.7.2 Develop trail improvements to a design and development standard that facilitates maintenance, security, and other appropriate personnel, equipment, and vehicles and includes:
 - a. Trail systems with appropriate supporting trailhead improvements that include interpretive, directory and mileage signage as well as rules and regulations for trail use.
 - b. Provide site furnishings such as benches, bike racks, dog waste stations, and trash containers.
 - c. Locate trails in conjunction with park sites, schools, and other community facilities to increase local area access to the trail system and to take advantage of access to existing restrooms and drinking water thereby reducing duplication of supporting improvements.
 - d. Design outdoor picnic areas, trails, playgrounds, courts, fields, parking lots, restrooms, and other active and supporting facilities to be accessible to individuals and organized groups of all physical capabilities, skill levels, age groups, income and activity interests.
- 5.7.4 Implement the provisions and requirements of the Americans with Disabilities Act (ADA) and other design and development standards that will improve park facility safety and security features for park users, department personnel, and the public-at-large.
- 5.7.5 Promote sustainable landscapes to increase the ecological functions of natural areas and utilize native vegetation in planted areas, where possible.

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- 5.7.6 Choose durable products to promote human health in a safe environment and consider life-cycle analysis of material options. Incorporate green building technology including nontoxic materials and sustainable development practices. Select local products where feasible. Consider environmental as well as economic impacts

GOAL 5.8 INCREASE AWARENESS OF PARK AND RECREATION ACTIVITIES.

Policies

- 5.8.1 Promote the use of local parks through the media, Aquafest, other festivals and by providing information as to their availability such as publishing maps showing park locations and their available facilities.
- 5.8.2 Promote and provide volunteer opportunities.
- 5.8.3 Facilitate community involvement and stewardship.
- Continue and expand the volunteer work party program.
 - Continue and expand the Adopt-a-trail program.
 - Develop interlocal management agreements.
 - Encourage participation in community trail events.
 - Expand on existing relationships with schools, business and non-profit organizations.
- 5.8.4 Promote environmental protection as part of providing a successful park and recreation program by establishing a permanent celebration promoting Earth Day activities
- 5.8.5 Where appropriate, use adopt-a-park programs, neighborhood park watches, park police patrols, and other innovative programs that will increase safety and security awareness and visibility.
- 5.8.6 Provide historic and natural interpretation opportunities throughout the City's park system.
- 5.8.7 Promote commercial recreation opportunities along the Centennial Trail and on and near the lake.
- 5.8.8 Utilize interpretive materials to highlight features such as native flora and historic points of interest

GOAL 5.9 CREATE EFFECTIVE AND EFFICIENT METHODS OF ACQUIRING, DEVELOPING, OPERATING AND MAINTAINING FACILITIES AND PROGRAMS THAT ACCURATELY DISTRIBUTE COSTS AND BENEFITS TO PUBLIC AND PRIVATE INTERESTS.

Policies

- 5.9.1 Establish financing mechanisms to ensure that adequate parks, open space, and recreation facilities are available to the community.

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- 5.9.2 Investigate innovative available methods or the financing of maintenance and operating needs in order to reduce costs, retain financial flexibility, match user benefits and interests, and increase facility services.
- 5.9.3 The City shall explore and where appropriate adopt a creative funding strategy which takes advantage of traditional sources, such as capital budgeting, grants, and developer contributions, but also non-traditional sources including, but not limited to volunteers, interlocal agreements, donations, foundations, interjurisdictional partnerships, and other appropriate mechanisms.
- 5.9.4 In developing the park system, encourage donations and dedications, conservation easements, innovative land use contractual agreements and other methods involving foundations, organizations, associations, trusts, developers, landowners, others from the private sector and neighboring and regional governments.
- 5.9.5 Allow fee stewardship programs to be established in conjunction with recognized land conservancies to maintain dedicated natural areas in lieu of permitting homeowner associations to assume such responsibilities (assuming the City does not wish to assume such responsibility).

**CITY OF LAKE STEVENS
Lake Stevens, Washington**

ORDINANCE NO. 903

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, AMENDING PORTIONS OF THE LAKE STEVENS MUNICIPAL CODE AS PART OF THE 2013 DOCKET WITH CODE HOUSEKEEPING AMENDMENTS TO CORRECT MINOR CODE ERRORS AND REVISIONS FOUND DURING CODE IMPLEMENTATION AND UPDATE CODE TO BE CONSISTENT WITH THE GMA COMPREHENSIVE PLAN; AMENDING SECTION 5.16.080 ENTITLED "PERMIT MAY BE DENIED OR REVOKED"; AMENDING SECTION 14.04.120 ENTITLED "ADOPTION OF ADMINISTRATIVE SUPPORTING GUIDELINES"; AMENDING SECTION 14.08.010 "DEFINITIONS OF BASIC TERMS"; MOVING SECTION 14.08.020 ENTITLED "LOTS DIVIDED BY DISTRICT LINES" TO NEW SECTION 14.36.120 ENTITLED SAME; AMENDING SECTION 14.16A.130 ENTITLED "CONSTRUCTION PLAN REVIEW"; AMENDING SECTION 14.16A.210 ENTITLED "TYPES OF REVIEW", TABLE 14.16A-1 ENTITLED "CLASSIFICATION OF PERMITS AND DECISIONS"; AMENDING SECTION 14.16A.225 ENTITLED "NOTICING REQUIREMENTS"; AMENDING SECTION 14.16A.250 ENTITLED "EXPIRATION OF APPROVALS AND APPROVED PERMITS"; AMENDING SECTION 14.16B.205 ENTITLED "PURPOSE"; AMENDING SECTION 14.16B.325 ENTITLED "PUBLIC MEETINGS"; AMENDING SECTION 14.16B.350 ENTITLED "HEARING EXAMINER DECISION"; AMENDING SECTION 14.16B.505 ENTITLED "PURPOSE; AMENDING SECTION 14.16B.525 "PUBLIC MEETINGS"; AMENDING SECTION 14.16B.540 ENTITLED "NOTICE OF CITY COUNCIL PUBLIC HEARINGS"; AMENDING SECTION 14.16B.545 ENTITLED "CITY COUNCIL DECISION"; AMENDING SECTION 14.16B.630 ENTITLED "NOTICE OF PUBLIC HEARING"; AMENDING SECTION 14.16C.050 ENTITLED "DESIGN REVIEW"; AMENDING SECTION 14.16C.075 ENTITLED "LAND USE CODE AMENDMENTS"; AMENDING SECTION 14.16C.090 ENTITLED "REZONES - OFFICIAL ZONING MAP AMENDMENTS"; AMENDING SECTION 14.18.045 ENTITLED "ENDORSEMENTS ON SHORT AND LONG SUBDIVISION PLATS"; AMENDING SECTION 14.18.070 ENTITLED "BOUNDARY LINE ADJUSTMENTS"; AMENDING SECTION 14.18.175 ENTITLED "RECORDING WITH COUNTY AUDITOR"; AMENDING SECTION 14.36.100 ENTITLED "OFFICIAL ZONING MAP"; AMENDING SECTION 14.38.040 ENTITLED "DIMENSIONAL REGULATIONS", TABLE 14.38-I ENTITLED "DIMENSIONAL REGULATIONS"; AMENDING SECTION 14.38.100 ENTITLED "SIGNS"; AMENDING SECTION 14.40.010 ENTITLED "TABLE OF PERMISSIBLE USES", TABLE 14.40-I ENTITLED "TABLE OF PERMISSIBLE USES BY ZONES"; AMENDING SECTION 14.40.020 ENTITLED "USE OF THE DESIGNATIONS P, A, C IN TABLE OF PERMISSIBLE USES"; AMENDING SECTION 14.40.040 ENTITLED "PERMISSIBLE AND PROHIBITED USES"; AMENDING SECTION 14.44.020 ENTITLED "PLANNED RESIDENTIAL DEVELOPMENTS"; AMENDING SECTION 14.44.075 ENTITLED "FARM ANIMALS"; REPEALING SECTION 14.44.085 ENTITLED "MOTOR VEHICLE SALES IN THE CENTRAL BUSINESS DISTRICT"; AMENDING SECTION 14.44.110 ENTITLED "RESTRICTIONS AND REQUIREMENTS"; AMENDING SECTION 14.44.240 ENTITLED "SMOKE AND AIR POLLUTION"; AMENDING SECTION 14.44.330 ENTITLED "LOCATION OF PARKING IN TWO-FAMILY AND MULTI-FAMILY STRUCTURES"; AMENDING SECTION 14.46.020 ENTITLED "APPLICATION"; AMENDING SECTION 14.48.040 ENTITLED "BUILDING SETBACK REQUIREMENTS" AND TABLE 14.48-I ENTITLED "DENSITY AND DIMENSIONAL STANDARDS"; AMENDING SECTION 14.48.050

ENTITLED “EXCEPTIONS TO BUILDING SETBACK REQUIREMENTS”; AMENDING SECTION 14.48.070 ENTITLED “CLUSTER SUBDIVISIONS”; AMENDING SECTION 14.56.080 ENTITLED “STREET WIDTH, SIDEWALK, AND DRAINAGE REQUIREMENTS IN SUBDIVISIONS”; AMENDING SECTION 14.56.100 ENTITLED “DEAD END STREETS/CUL-DE-SACS”; AMENDING SECTION 14.56.130 ENTITLED “CONSTRUCTION STANDARDS AND SPECIFICATIONS”; AMENDING SECTION 14.56.135 ENTITLED “DEVIATIONS TO CONSTRUCTION STANDARDS AND SPECIFICATIONS”; AMENDING SECTION 14.56.060 ENTITLED “RESIDENTIAL PUBLIC STREETS AND PRIVATE ROADS”; AMENDING SECTION 14.68.020 ENTITLED “SIGNS EXCLUDED FROM REGULATION”; AMENDING SECTION 14.68.110 ENTITLED “SIGN ILLUMINATION AND SIGNS CONTAINING LIGHTS”; AMENDING SECTION 14.68.130 ENTITLED “MAINTENANCE OF SIGNS”; AMENDING SECTION 14.76.090 ENTITLED “ADDITIONAL SCREENING REQUIREMENTS”; AMENDING SECTION 14.76.120 ENTITLED “RETENTION AND PROTECTION OF LARGE TREES”; AMENDING SECTION 14.88.010 ENTITLED :PURPOSE AND INTENT”; AMENDING SECTION 14.88.310 ENTITLED “DEMONSTRATION OF DENIAL OF ALL REASONABLE ECONOMIC USES”; AMENDING SECTION 14.88.320 ENTITLED “ALLOWANCE OF REGULATED USE IN A CRITICAL AREA WHERE DENIAL OF ALL ECONOMIC USE IS DEMONSTRATED”; AMENDING SECTION 14.88.400 ENTITLED “CLASSIFICATION”; AMENDING SECTION 14.88.930 ENTITLED “DESIGNATION PROCESS”; AMENDING SECTION 14.110.120 “APPEALS”; AND MINOR CORRECTION OF “OFFICIAL ZONING MAP”; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, as one of the cities in Snohomish County, the City of Lake Stevens is required under RCW 36.70A.130(4)(a) to review and, if needed, revise its Comprehensive Plan and development regulations to ensure the plan and regulations comply with the Growth Management Act, Ch. 36.70A RCW; and

WHEREAS, the City may use the Annual Docket Process to propose Code Housekeeping Amendments; and

WHEREAS, Code Housekeeping Amendments include Scrivener’s errors, minor code amendments identified during implementation of the code, revisions for consistency with Comprehensive Plan amendments, and other minor revisions; and

WHEREAS, on July 8, 2013, the City Council ratified a list of two map amendments, eight text amendments and twenty-one chapters with code housekeeping amendments; and

WHEREAS, on **October XX, 2013**, the City issued a State Environmental Policy Act (SEPA) Addendum No. 6 to the Integrated 2005 Comprehensive Plan and Environmental Impact Statement for the adoption of both comprehensive plan amendments and code housekeeping amendments; and

WHEREAS, in taking the actions set forth in this ordinance, the City has complied with the requirements of the State Environmental Policy Act, Ch. 43.21C RCW; and

WHEREAS, on October 1, 2013 the City submitted the proposed code housekeeping amendments to the Washington State Department of Commerce with a request for the required 60-day review, with approval on **XXX, 2013**; and

WHEREAS, the Lake Stevens Planning Commission, after review of the proposed code housekeeping amendments, held a duly noticed public hearing on November 6, 2013, and all public testimony was given full consideration; and

WHEREAS, on December 9, 2013, the Lake Stevens City Council reviewed the Planning Commission's recommendation relating to the proposed code housekeeping amendments and held a duly noticed public hearing to consider the code housekeeping amendments, and all public testimony has been given full consideration; and

WHEREAS, the amendments herein are consistent with the City's development codes and consistent with the City's comprehensive plan;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE STEVENS, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. LSMC Section 5.16.080 entitled "Permit May be Denied or Revoked" is amended by amending the party available to revoke a permit to read as follows:

5.16.080 Permit May be Denied or Revoked.

- A. No person who has been convicted of cruelty to animals shall be issued a permit to operate a commercial animal-rearing site. Any such permit which has been issued will be automatically revoked upon proof of conviction of the holder for cruelty to animals.
- B. The Planning ~~Director or designee~~~~((Commission))~~ may revoke any permit under this chapter if the person holding the permit refuses or fails to comply with the ordinance codified in this title, or any law governing the protection and keeping of animals, or if the person holding a permit has withheld or falsified any information on the application for such permit. Such revocation of permit shall not affect the permit holder's liability to prosecution under this title.

Section 2. LSMC Section 14.04.120 entitled "Adoption of Supporting Administrative Guidelines" is amended by removing the specific list of administratively adopted documents to read as follows:

14.04.120 Adoption of Supporting Administrative Guidelines.

(a) City departments may administratively adopt guidelines, standards, reference materials, forms, or other documents that aid the public, applicant, staff, or decision-maker in interpreting and administering this document.

(b) ~~((The titles of))~~ Those documents administratively adopted per subsection (a) of this section shall be on file with the Planning and Community Development Department. ~~((and shall include the following documents:~~

- ~~(1) Information required with applications;~~
- ~~(2) Guide of Landscaping (Administrative Policy No. 1995-3);~~
- ~~(3) Residential Development Handbook for Snohomish County Communities;~~
- ~~(4) Transportation Impact Analysis Guidelines (TIAG) (Administrative Policy No. 1995-5);~~
- ~~(5) Streets and Sidewalks Design Standards Deviations Procedures (Administrative Policy No. 2006-01);~~
- ~~(6) SEPA Exemption Threshold Levels for Grading Activities (Administrative Policy No. 2008-06);~~
- ~~(7) Lot Line Consolidation (Administrative Policy No. 2009-1);~~
- ~~(8) State Department of Ecology's 2005 Stormwater Management Manual for Western Washington, as amended by Sections 1-6 of Appendix 1 of the NPDES Phase II Municipal Stormwater Permit; and~~
- ~~(9) Engineering Design and Development Standards (EDDS).~~

~~(c) A copy of all administrative guidelines adopted pursuant to this section shall be on file with the Planning Department permit counter and may be inspected by interested parties during regular business hours of the department.)~~

Section 3. LSMC Section 14.08.010 entitled “Definitions of Basic Terms” is amended by amending the definitions for “Access Tract” and “Road, Private” to read as follows (all other definitions in 14.08.010 remain unchanged and in effect except as presented in Sections 4 and 5 of this ordinance):

- *Access Tract.* A privately-owned tract of land used primarily for ingress/egress for four or fewer dwelling units~~((one or more lots))~~.
- *Road, Private.* A privately maintained easement or parcel created to provide vehicle access from a public road to one or more lots or units.

Section 4. LSMC Section 14.08.010 entitled “Definitions of Basic Terms” is amended by adding the definition for “Impervious Surface” to read as follows:

Impervious Surface. A hard surface area which either prevents or retards the entry of water into the soil mantle as it entered under natural conditions prior to development, and/or a hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roofs, walkways, patios, driveways, parking lots, storage areas, areas which are paved, graveled or made of packed or oiled earthen materials, or other surfaces which similarly impede the natural infiltration of surface and stormwater. Open, uncovered retention/detention facilities shall not be considered as impervious surfaces for the purpose of this chapter.

Section 5. LSMC Section 14.08.010 entitled “Definitions of Basic Terms” is amended by deleting the definitions for “Year Round Driving Surface” and “Vehicular Access Easement or Tract”.

Section 6. LSMC Section 14.08.020 entitled “Lots Divided by District Lines” is deleted from Chapter 14.08 and moved in its entirety to Chapter 14.36 to read as follows:

14.36.120((14.08.020)) Lots Divided by District Lines.

(a) Whenever a single lot one acre or less in size is located within two or more different zoning districts, the district regulations applicable to the district within which the larger portion of the lot lies shall apply to the entire lot.

(b) Whenever a single lot greater than one acre in size is located within two or more different zoning districts, each portion of that lot shall be subject to all the regulations applicable to the district in which it is located.

Section 7. LSMC Section 14.16A.130 entitled “Construction Plan Review” is amended by amending the name of application and checklist to read as follows:

14.16A.130 Construction Plan Review.

(a) The purpose of this section is to establish procedures for reviewing site construction plans for site improvements. Site construction drawings are engineering documents that are required for improvements to a particular site.

(b) Public Works Construction Plan Approval.

(1) Upon receipt of approval of a land use permit or preliminary subdivision, the applicant is required to apply for construction plan approval relating to following elements: on-site and off-site stormwater management, erosion control measures, public road and frontage improvements, dedication or deeding of right-of-way, street trees and other required landscaping elements, utilities, and any other improvement related to the development.

(2) The application for construction plan approval shall include a completed construction plan review~~((master))~~ application form, plans and materials as outlined in the construction plan submittal checklist~~((master use application and related checklists))~~, and fee as set by Council resolution.

(3) The applicant is required to obtain approvals from the Postmaster and utility purveyors.

(4) Following approval of the construction plans and prior to any site work, the applicant shall schedule a pre-construction meeting with the Public Works Department. All contractors, subcontractors and utility representatives are to meet to discuss any issues related to the construction activity and minimizing impacts to the neighborhood and nearby facilities.

(5) Pursuant to Section [14.16A.180](#)(b), the Public Works Director may require a performance security to be in place before construction activities are commenced.

(c) Public Improvements Required Before Occupancy or Final Plat. Final plat approval or certificate of occupancy shall not be granted unless the required public improvements have been installed and accepted by the Public Works Department or the subdivider has provided a completion security pursuant to Section [14.16A.180](#)(c) to ensure that all of these requirements will be fulfilled within not more than 12 months after final plat approval or until half of the dwelling units within the plat or phase are issued building permits, whichever comes first. Replacement trees to be located on public property must be planted prior to final plat approval. Replacement trees to be located on a private lot must be installed prior to issuing a final inspection or certificate of occupancy for that lot.

(d) Dedication of Public Stormwater Facilities. Stormwater facilities shall be dedicated to the City at the completion of development. Private and commercial stormwater facilities remain the responsibility of the property owner(s).

(e) Maintenance of Dedicated Facilities Until Acceptance. Facilities intended to be dedicated to the City shall be maintained by the owner until such time as the dedication is accepted by the City.

(f) Protection Against Defects.

(1) Whenever public improvements are to be dedicated to the City, the developer shall post a maintenance bond or other sufficient surety pursuant to Section [14.16A.180](#)(d) to guarantee that the developer will correct all defects in such facilities or improvements that occur within two years after the acceptance of dedication of the improvements.

(2) An architect or engineer retained by the developer shall certify to the City that all facilities and improvements to be dedicated to the City have been constructed in accordance with the requirements of this chapter. This certification shall be a condition precedent to acceptance by the City of the offer of dedication of such facilities or improvements.

(3) For purposes of this section, the term “defects” refers to any condition that requires repairs over and above the normal amount of maintenance required for a particular improvement.

(g) Authorizing Use and/or Occupancy Before Completion of Development Under Land Use Permits. When weather conditions or other factors beyond the control of the permittee (exclusive of financial hardship) make it unreasonable for the permittee to comply with all of the requirements of the permit (exclusive of subdivision approvals), the Planning Director may authorize the commencement of the intended use or the occupancy of buildings, if the permit recipient provides a performance bond or other security to ensure that all of these requirements will be fulfilled within a reasonable period (not to exceed 12 months) and if the Building Official finds that such occupancy will not result in a safety or health hazard.

Section 8. LSMC Section 14.16A.210 entitled “Types of Review” is amended by amending Table 14.16A-I to read as follows:

Table 14.16A-I: Classification of Permits and Decisions

Type of Review	Land Use Actions	Recommendation	Public	Permit-	Administrative
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	and Permits	By	Hearing Prior to Decision	Issuing Authority	Appeal Body & Hearing
TYPE I Administrative without Public Notice	<ul style="list-style-type: none"> • Administrative Design Review • Administrative Modifications • Boundary Line Adjustments • Change of Use • Code Interpretations • Events • Floodplain Development Permits • Grading Permit • Home Occupations • Master Sign Program • Reasonable Use Exceptions • Shoreline Exemptions • Signs • Temporary Uses 	None	None	Department director or designee	Hearing Examiner, except shoreline permits to State Shoreline Hearings Board, & Open Record
TYPE II Administrative with Public Notice	<ul style="list-style-type: none"> • Administrative Conditional Use (formerly Special Use) • Binding Site Plans • Planned Action Certification • SEPA Review (early or when not combined with another permit or required for a Type I permit) • Shoreline Substantial Developments • Short Plats <u>— Preliminary or Final</u> • Short Plat Alterations 	None	None	Planning Director or designee	Hearing Examiner, except shoreline permits to State Shoreline Hearings Board, & Open Record

	<ul style="list-style-type: none"> • Short Plat Vacations • Site Plan Reviews 				
TYPE III Quasi-Judicial, Hearing Examiner	<ul style="list-style-type: none"> • Conditional Uses • Preliminary Plats • Shoreline Conditional Uses • Shoreline Variances • Variances 	Design Review Board (if required)	Open Record	Hearing Examiner	Superior Court, except shoreline permits to State Shoreline Hearings Board, & Closed Record
TYPE IV Quasi-Judicial, City Council with Hearing Examiner Recommendation	<ul style="list-style-type: none"> • Essential Public Facilities • Planned Neighborhood Developments • Rezone - Site-Specific Zoning Map Amendments • Secure Community Transition Facilities 	Hearing Examiner with Open Record Hearing	Closed Record	City Council	None, appeal to Superior Court
TYPE V Quasi-Judicial, City Council	<ul style="list-style-type: none"> • Final Plats* • Plat Alterations • Plat Vacations • Right-of-Way Vacations 	Design Review Board (if required)	Open Record *Public meeting only for Final Plats	City Council	None, appeal to Superior Court
TYPE VI Legislative, City Council with Planning Commission Recommendation	<ul style="list-style-type: none"> • Comprehensive Plan Amendments, Map & Text • Development Agreements • Land Use Code Amendments • Rezones - Area-Wide Zoning Map Amendments 	Planning Commission with Open Record Hearing	Open ((Closed)) Record	City Council	Growth Management Hearings Board & Closed Record

Section 9. LSMC Section 14.16A.225 entitled “Noticing Requirements” is amended by amending the size of the on-site posted sign to read as follows:

14.16A.225 Noticing Requirements.

(a) Mailed Notices and Postcard Notices.

(1) Mailings shall include a mailed notice or postcard notice to owners of real property within 300 feet of the project site, or 20 property owners (whichever results in more property owners being noticed), including the project name and number and the following information. Mailings may provide a website address where detailed information is available

for viewing. Mailings shall include the following information or Internet addresses to the following information:

- (i) The date of application and the date of the notice of application;
- (ii) A description of the proposed project action and a list of the project permits included in the application and, if applicable, a list of any studies requested under RCW [36.70B.070](#);
- (iii) The identification of other permits not included in the application, to the extent known by the City;
- (iv) The identification of existing environmental documents that evaluate the proposed project, and, if not otherwise stated on the document providing notice of application, the location where the application and any studies can be reviewed;
- (v) A statement of the limits of the public comment period;
- (vi) A statement of the right of any person to comment on the application, receive notice of and participate in any hearings, request a hearing, if applicable, request a copy of the decision once made, and any appeal rights;
- (vii) The date, time, place and type of meeting or hearing, if applicable and if it is scheduled at the date of notice of the application;
- (viii) A statement of the preliminary determination of consistency, if one has been made at the time of notice, and of those development regulations that will be used for project mitigation;
- (ix) A map depicting the boundaries of the project site and, when applicable, a site map showing the proposal or website address where maps can be viewed;
- (x) A statement announcing the City's goal of complying with the intent of the Americans with Disabilities Act, announcing accessibility, offer of assistance to persons with special needs, and availability of TDD services;
- (xi) Any other information determined appropriate by the City, such as the City's threshold determination, if complete at the time of issuance of the notice of application.

(2) Mailings will be sent to adjacent jurisdictions if the proposed development is within one-quarter mile of the jurisdiction's boundary; the State Department of Transportation if the proposed development is adjacent to a state highway; and to all other agencies with jurisdiction.

(3) Mailings shall also include the mailed or emailed notice of application or postcard notice including at least the information required in subsection (a)(1) of this section to each person who has requested such notice.

(4) No proceeding of any procedure established in this chapter shall be found to be invalid for failure to provide mailed notice as required in this section as long as the other methods of notice have met their respective requirements and there was a good faith attempt to comply with the mailed notice requirements.

(5) The records of the Snohomish County Assessor's Office or title company shall be used for determining the property owner of record. Addresses for a mailed notice required by this code shall be obtained from the Snohomish County real property tax records.

(6) All public notices shall be deemed to have been provided or received on the date the notice is deposited in the mail or personally delivered, whichever occurs first.

(b) Posted Notices.

(1) On-Site Posting. At least one public notice board shall be posted on the site on each public right-of-way fronting on the site. The sign shall be erected in a manner that is accessible and easy to read by the general public. The Planning Director shall establish standards for size, color, layout, design, wording and placement of the notice boards, which generally shall consist of the items listed in subsection (a)(1) of this section. The Department of Planning and Community Development will provide prepared signs for on-site posting to the applicant. The applicant is responsible for posting the on-site notice and submitting a signed affidavit of on-site posting with a photo of each on-site notice.

(2) Public Posting. A public notice shall also be posted on the official notice board at City Hall.

(3) Special Posting for Major Land Use Actions. In addition to the general notice requirements set forth in subsections (a) and (b)(1) of this section, major land use actions shall comply with the following extraordinary signage requirements (see Section 14.16B.315(d)(3)):

(i) Sign Size and Placement. Each sign shall be ~~two~~(~~four~~) feet by ~~two and a half~~(~~eight~~) feet in size, placed no closer than five feet from the right-of-way, visible from each public street on which the subject property has frontage, and placed outside the sight distance triangle.

(ii) Content of Notice. Signs shall be prepared using templates or attachable letters. Hand lettered signs are not acceptable. The required sign shall include:

- a. The title "Notice of Land Use Application";
- b. A graphic or written description of the site boundaries;
- c. Type of action/application (preliminary plat, etc.);
- d. The date of public hearing;
- e. The name and telephone number of the Department of Planning and Community Development;
- f. City of Lake Stevens logo;
- g. Other information as the Planning Director may determine to be necessary to adequately notify the public of the pending land use application.

(iii) Responsibility for Installation and Removal.

- a. The applicant shall be solely responsible for the construction, installation, and removal of the sign(s) and the associated costs.
- b. The sign(s) shall be erected at least 10 days prior to the public hearing. The applicant shall sign an affidavit, stating that the sign(s) were installed and the date and posting of property. Photos of each sign shall also be submitted with the affidavit.
- c. The sign(s) shall be removed immediately following final action by the Hearing Examiner.
- d. If the sign is removed prior to the final action, the applicant is responsible for immediate replacement of the sign.

(c) Responsibility for Notice. The Planning Director is responsible for providing published legal notices, mailed notices, and posted notices at City Hall. The applicant is responsible for complying with on-site posted notice requirements.

Section 10. LSMC Section 14.16A.250 entitled "Expiration of Approvals and Approved Permits" is amended by amending the allowed years for extensions to be consistent with State Law to read as follows:

14.16A.250 Expiration of Approvals and Approved Permits.

(a) Land use approvals/permits other than subdivisions or shoreline permits shall expire automatically within one year after the issuance of such permits, if:

(1) The use authorized by such permits has not commenced, in circumstances where no substantial construction, excavation or demolition is necessary before commencement of such use; or

(2) Less than 10 percent of the total cost of all construction, excavation or demolition of the approved development has been completed.

(b) Land use permits other than subdivisions shall also expire automatically if construction, grading or excavation is commenced but such work is discontinued for a period of one year.

(c) Shoreline Development Permits. Construction activities shall be commenced or, where no construction activities are involved, the use or activity shall be commenced within two years of the effective date of a substantial development permit. However, the City may authorize a single extension for a period not to exceed one year based on reasonable factors, if a request for extension has been filed before the expiration date and notice of the proposed extension is given to parties of record on the substantial development permit and to the Department of Ecology. [RCW [90.58.143\(2\)](#)]

(d) For land use permits other than preliminary short subdivisions, subdivisions and sign permits:

(1) The Planning Director may grant one six-month extension to a permit upon showing proper justification, if:

- expires;
- (i) The extension is requested at least 30 calendar days before the permit expires;
 - (ii) The permittee has proceeded with due diligence and in good faith; and
 - (iii) The zoning designation of the property has not changed.
- (2) Proper justification consists of one or more of the following conditions:
- (i) Economic hardship;
 - (ii) Change of ownership;
 - (iii) Unanticipated construction and/or site design problems;
 - (iv) Other circumstances beyond the control of the applicant and determined acceptable by the appropriate department director.

(e) Preliminary short subdivision and subdivision approvals shall expire automatically if, within five years after the issuance of such approvals:

- (1) The final plat or short plat has not been submitted to the City for approval; or
- (2) An extension has not been granted. The Planning Director may approve a single one-year original extension to the approval, if:
 - (i) The request was delivered in writing to the Planning Department at least 30 calendar days prior to the approval's expiration and meets one of the proper justifications listed in subsection (d)(2) of this section;
 - (ii) The permittee has proceeded with due diligence and in good faith to complete the plat; and
 - (iii) Conditions have not changed so substantially as to warrant a new application.

(f) Additional Extension of Original Approvals for Preliminary Short Subdivisions, Preliminary Subdivisions, Conditional Use Permits, Special Use Permits, Zoning Permits, and Site Plans.

(1) After requesting and receiving the original~~((normal))~~ permit extension provided in subsection (d) or (e) of this section, a permittee or his or her successors may request of the Planning Director ~~((60 days))~~ six months prior to expiration of permit extension a ~~((one-time,))~~ one- or two-year extension as provided in subsections (f)(3) and (4) of this section for an extension above the original extension request in subsection (e), provided all other requirements of this section are met including:

- (i) Filing with the Planning Director a sworn and notarized declaration that substantial work has not commenced as a result of adverse market conditions and an inability of the applicant to secure financing;
 - (ii) Paying applicable permit extension fees;
 - (iii) Paying all outstanding invoices for work performed on the permit review;
- and

(iv) There are no substantial changes in the approved plans or specifications.

(2) The total combined time period for any preliminary short subdivision or preliminary subdivision may be extended by the Planning Department under Section 14.16A.250 and shall not exceed a total extension of ~~((three))~~ two years for a total of seven years approval; except for approvals dated on or before December 31, 2007 shall not exceed a total extension of five years by requesting additional one-or two-year extensions. The total combined time period for any conditional use permit, special use permit, zoning permit, or site plan may be extended by the department under Section 14.16A.250 and shall not exceed a total extension of one and a half years.

(3) The one-year original extension of preliminary short subdivisions and preliminary subdivisions established in subsection (e) of this section may be further extended by up to an additional four years for original approvals prior to December 31, 2007 and up to an additional two years for original approvals prior to March 31, 2010. Associated permit approvals before December 31, 2014~~((March 31, 2010))~~, including construction plans, clearing and grading permits, rezones, right-of-way construction, sidewalk and street deviations, and building permits shall be automatically extended for the same period subject to subsection (f)~~((5))~~ of this section.

(4) The six-month extension of conditional use permits, special use permits, zoning permits, and site plans established in subsection (d) of this section may be further extended by up to an additional one year for original approvals prior to March 31, 2010. Associated

permit approvals before March 31, 2010, including construction plans, clearing and grading permits, rezones, right-of-way construction, sidewalk and street deviations, and building permits shall be automatically extended for the same period subject to section (f)(5) of this section.

(5) Related shoreline development permit time requirements may not be extended past the allowed limits in WAC [173-27-090](#) and RCW [90.58.143](#).

(6) Permits are vested to the codes in effect at the time of original approval.

(g) Construction Plan Approvals.

(1) Construction plans for projects reviewed under the development code shall be approved for a period of 60 months from the date the City signs the plans or until expiration of the preliminary plat, preliminary short plat, binding site plan, conditional use permit, or site plan approval. If the construction plan is not connected to another permit, it shall expire in one year with one six-month extension allowed.

(2) The City may grant an extension of up to 12 months, if substantial progress has been made by the applicant to complete construction of the approved project. Extensions shall be considered on a case-by-case basis by the Public Works Director or designee and will require a letter to be submitted to the City requesting the extension at least 30 calendar days prior to the approval's expiration. Said letter shall demonstrate that the project has made substantial construction progress, the reason for the extension request, and an estimated timeline for completion of construction.

(3) When the approval period or any extension thereof expires, the City's approval of the construction plans shall be deemed automatically withdrawn. In order to receive further consideration by the City after such expiration and automatic withdrawal, construction plans must be re-submitted and must comply with the current code requirements.

(h) Once the time period and any extensions have expired, approval/permit shall terminate and the application is void and deemed withdrawn.

Section 11. LSMC Section 14.16B.205 entitled "Purpose" is amended to read as follows:

14.16B.205 Purpose.

A Type II review is an administrative review and decision by the appropriate department. These are applications which are categorically exempt from review under the State Environmental Policy Act (SEPA), a separate SEPA review, or permits for which environmental review has been completed in connection with another application. Public notification is provided at the application and decision stages of application review. Appeals of Type II decisions are made to the Hearing Examiner, except shoreline permit appeals are made to the State Shoreline Hearings Board. Type II reviews are exempt from the procedures of Section [14.16A.230](#), Time Frames for Review. The purpose of this part is to provide the necessary steps for permit approvals requiring Type II review.

Section 12. LSMC Section 14.16B.325 entitled "Public Meetings" is amended by amending a section reference to read as follows:

14.16B.325 Public Meetings.

A public meeting shall be required for Type III applications except variances pursuant to Section 14.16A.~~260~~~~(299)~~. Staff may require the applicant to participate in the meeting to inform citizens about the proposal. If a public meeting is planned, it shall be held as early in the review process as possible for Type III applications. Notice of the public meeting shall be provided in the same manner as required for the notice of application. The public meeting notice will be combined with the notice of application whenever possible.

Section 13. LSMC Section 14.16B.350 entitled "Hearing Examiner Decision" is amended by correcting the appeal body to be consistent with other sections of code to read as follows:

14.16B.350 Hearing Examiner Decision.

(a) The Hearing Examiner shall approve a project or approve with modifications if the applicant has demonstrated that the proposal complies with the applicable decision criteria of this title. The applicant carries the burden of proof and must demonstrate that a preponderance of the evidence supports the conclusion that the application merits approval or approval with modifications. In all other cases, the Hearing Examiner shall deny the application.

(b) If the Hearing Examiner requires a modification which results in a different proposal not reasonably foreseeable from the description of the proposal contained in the public notice provided pursuant to Section 14.16B.340, the Hearing Examiner shall conduct a new hearing on the modified proposal.

(c) The Hearing Examiner may include conditions to ensure a proposal conforms to the relevant decision criteria.

(d) The Hearing Examiner shall within 14 days following the close of the record distribute a written report supporting the decision. The report shall contain the following:

- (1) The decision of the Hearing Examiner;
- (2) Any conditions included as part of the decision;
- (3) Findings of fact upon which the decision, including any conditions, was based and the conclusions derived from those facts; and
- (4) A statement explaining the process to appeal the decision of the Hearing Examiner to the Superior Court~~((City Council))~~.

(e) Reconsideration Period. Any person who presented or commented at the hearing may file a written request with the Hearing Examiner for reconsideration within 10 business days of the date of the Hearing Examiner's decision. The request shall explicitly set forth alleged errors of procedure or fact. Comments shall be requested from affected parties of record and reviewing City departments on the petition for reconsideration. Comments shall be received within 14 days. The Hearing Examiner shall act within 14 days after the filing of the request for reconsideration by denying the request, issuing a revised decision, or calling for an additional public hearing.

(1) The grounds for reconsideration shall be limited to the following:

- (i) The Hearing Examiner exceeded his or her jurisdiction;
- (ii) The Hearing Examiner failed to follow the applicable procedure in reaching his or her decision;
- (iii) The Hearing Examiner committed an error of law or misinterpreted the applicable city regulation, ordinance or other state law or regulation;
- (iv) The Hearing Examiner's findings, conclusions and/or conditions are not supported by the record; and/or
- (v) Newly discovered evidence alleged to be material to the Hearing Examiner's decision which could not reasonably have been produced prior to the Hearing Examiner's decision.

(2) Requests for reconsideration may use the additional grounds that changes to the application proposed by the applicant are in response to deficiencies identified in the decision.

Section 14. LSMC Section 14.16B.505 entitled "Purpose" is amended by adding additional information regarding Final Plat public meetings to read as follows:

14.16B.505 Purpose.

A Type V process is a quasi-judicial review and decision made by the City Council. Staff makes a recommendation to the City Council. Depending on the application, staff may conduct a public meeting to obtain public input. The City Council shall hold a public hearing on the application prior to making a decision; except for Final Plats, only a public meeting is held by the Council. Public notification is provided at the application, public hearing, and decision stages of application review. There is no opportunity for an administrative appeal. Appeals of City Council decisions are made to Snohomish County Superior Court. The purpose of this part is to provide the necessary steps for permit approvals requiring Type V review.

Section 15. LSMC Section 14.16B.525 entitled “Public Meetings” is amended by adding additional information for final plats to read as follows:

14.16B.525 Public Meetings.

A public meeting is required for all Type V applications pursuant to Section 14.16A.260. Staff may require the applicant to participate in the meeting to inform citizens about the proposal. If a public meeting is planned, it shall be held as early in the review process as possible for Type V applications. Notice of the public meeting shall be provided in the same manner as required for notice of the application. The public meeting notice will be combined with the notice of application whenever possible. Council Action for a Final Plat is a public meeting rather than a public hearing.

Section 16. LSMC Section 14.16B.540 entitled “Notice of City Council Public Hearing” is amended by adding allowance for public hearing or public meeting to read as follows:

14.16B.540 Notice of City Council Public Hearing.

(a) Public notice of the date of the City Council public hearing, or for Final Plats a public meeting, at which the City Council will consider the application shall be published in a newspaper of general circulation. The public hearing shall be scheduled no sooner than ((14))10 days following the date of publication of the notice. If a determination of significance was issued by the SEPA responsible official, the notice of staff recommendation shall state whether an EIS or supplemental EIS was prepared or whether existing environmental documents were adopted. The notice of the City Council meeting shall also include the notice of the availability of the staff recommendation.

(b) The Planning Director shall mail or email notice of the City Council public hearing or public meeting, the SEPA determination, and the notice of the availability of staff recommendation to all parties of record.

Section 17. LSMC Section 14.16B.545 entitled “City Council Decision” is amended by adding allowance for public hearing or public meeting to read as follows:

14.16B.545 City Council Decision.

(a) Within five days of a decision, the Planning Director shall transmit to the City Council a copy of the department file on the application including all written comments received prior to the City Council meeting and information reviewed by or relied upon by staff. The file shall also include information to verify that the requirements for notice to the public (notice of application, notice of public hearing, and notice of SEPA determination) have been met.

(b) Any person may participate in the City Council public hearing, or public meeting for Final Plats, on staff recommendation by submitting written comments to the Department of Planning and Community Development prior to the hearing or by submitting written comments or making oral comments at the hearing.

(c) The City Council shall, at the open record public hearing or public meeting, consider and take final action on each Type V application. The final action may take place in the same meeting as the public hearing or public meeting, if any.

(d) The City Council shall either:

- (1) Approve the application;
- (2) Approve the application with modifications;
- (3) Remand the application to staff for an additional review limited to specific

issues identified by the Council; or

- (4) Deny the application.

(e) Decision.

(1) Conditions. The City Council may, based on the record, include conditions in any decision approving or approving with modifications an application, in order to ensure conformance with the approval criteria specified in the code or process under which the application was made.

(2) Findings of Fact. The City Council shall include findings of fact and conclusions derived from those facts which support the decision of the Council, including any conditions, in the decision approving or approving with modifications the application. The City Council may by reference adopt some or all of the findings and conclusions recommended by staff.

Section 18. LSMC Section 14.16B.630 entitled “Notice of Public Hearing” is amended by the reference to the Planning Department to read as follows:

14.16B.630 Notice of Public Hearing.

(a) When the Planning Commission or City Council has scheduled a public hearing on a Type VI proposal, notice of the public hearing shall be provided 10 days prior to the scheduled hearing date in the manner set forth in subsection (b) of this section.

(b) Notice of Public Hearing.

Type VI Action or Permit	Mail	Post	Publish
Comprehensive Plan Amendment - Map & Text	X	X	X
Development Agreements			X
Land Use Code Amendments			X
Rezone - Area-Wide Zoning Map Amendment		X	X

(c) Published Notice. When required, the applicable department director shall publish a notice twice in a newspaper of general circulation in the City. The notice shall contain the following information:

- (1) The name of the applicant, and if applicable, the project name;
- (2) If the application involves specific property, the street address of the subject property, a description in nonlegal terms sufficient to identify its location, and a vicinity map indicating the subject property or website address where maps can be viewed;
- (3) A brief description of the action or approval requested;
- (4) The date, time, and place of the public hearing;
- (5) Summarize the nature and character of the proposed change;
- (6) If the proposed amendment involves a change in zoning district classification, reasonably identify the property whose classification would be affected by the amendment;
- (7) State that the full text of the amendment can be obtained from the Department of Planning and Community Development~~(-Services)~~;
- (8) State that substantial changes in the proposed amendment may be made following the public hearing; and
- (9) A statement of the right of any person to participate in the public hearing.

(d) Mailed Notices and Postcard Notices. Mailings shall be completed pursuant to Section [14.16A.225](#) with the additional specifications:

- (1) For minor map amendments, notices shall be mailed to the record owners for tax purposes of all properties whose zoning classification is proposed to be changed, as well as the owners of all properties which are within 300 feet of the property proposed to be rezoned, or 20 property owners (whichever is greater).
- (2) For major map amendments, notice over and above that specified in this section may be provided at the discretion of the Department of Planning and Community Development, as deemed necessary to ensure ample opportunity for citizens and property owners to become aware of the upcoming hearing.
- (3) Notice of the public hearing, containing the same information set forth in subsection (c) of this section, shall be mailed to each owner of real property within 300 feet of any boundary of the subject property, or 20 property owners (whichever is greater).

- (e) Posted Notices.
 - (1) All posted notices shall be completed pursuant to Section [14.16A.225](#).
 - (2) For minor map amendments, at least one public notice board shall be posted on the site on public right-of-way within the property proposed to be rezoned.
 - (3) For major map amendments, a minimum of three public notice boards shall be posted on public right-of-way.
 - (4) The following Type VI application is a major land use action: area-wide zoning map amendment. In addition to the general notice requirements, a major land use action shall comply with the extraordinary signage requirements in Section [14.16A.225\(b\)\(3\)](#).
- (f) Alternative Means of Notification. In the case of the following actions initiated by the City, which affect large areas of the City, the Planning Director may elect to use alternative means of public notification in addition to the newspaper publication required by RCW [35A.63.070](#) or the mail and posting provisions above, provided such notification is likely to achieve equal or greater actual public notification:
 - (1) Adoption or amendment of a neighborhood or other area-wide community plan; or
 - (2) Area-wide zoning map amendments.

Section 19. LSMC Section 14.16C.050 entitled “Design Review” is amended by amending the decision body, remove a zone, and correct an error to read as follows:

14.16C.050 Design Review.

(a) The Design Review Board is created to review and make urban design decisions that will promote visual quality throughout the City. The purpose of design review includes but is not limited to the following:

(1) To encourage and promote aesthetically pleasing and functional neighborhood and commercial developments for the citizens of Lake Stevens by establishing design review standards and guidelines including site layout, landscaping, parking and preferred architectural features;

(2) To implement the City’s Comprehensive Plan policies and supplement the City’s land use regulations, promote high-quality urban design and development, supplement land use regulation, promote a coordinated development of the unbuilt areas, improve walkability, lessen traffic congestion, provide light and air, prevent the overcrowding of land, and conserve and restore natural beauty and other natural resources;

(3) To encourage originality, flexibility, and innovation in site planning and development, including the architecture, landscaping and graphic design of proposed developments in relation to the City or subarea as a whole;

(4) To encourage low impact development (LID) by conservation and use of existing natural site features in order to integrate small-scale stormwater controls and to prevent measurable harm to natural aquatic systems from commercial, residential or industrial development sites by maintaining a more hydrologically functional landscape;

(5) To encourage green building practices in order to reduce the use of natural resources, create healthier living environments, and minimize the negative impacts of development on local, regional, and global ecosystems;

(6) To encourage creative, attractive and harmonious developments and to promote the orderliness of community growth, the protection and enhancement of property values for the community as a whole and as they relate to each other, the minimization of discordant and unsightly surroundings, the need for harmonious and high quality of design and other environmental and aesthetic considerations which generally enhance rather than detract from community standards and values for the comfort and prosperity of the community and the preservation of its natural beauty and other natural resources which are of proper and necessary concern of local government, and to promote and enhance construction and maintenance practices that will tend to prevent visual impairment and enhance environmental and aesthetic quality for the community as a whole;

(7) To aid in assuring that structures, signs and other improvements are properly related to their sites and the surrounding sites and structures, with due regard to the aesthetic qualities of the natural terrain and landscaping, and that proper attention is given to exterior appearances of structures, signs and other improvements;

(8) To protect and enhance the City's community vision for living and working and thus support and stimulate business and industry and promote the desirability of investment and occupancy in business and other properties;

(9) To stabilize and improve property values to help provide an adequate tax base to the City to enable it to provide required services to its citizens;

(10) To foster civic pride and community spirit by reason of the City's favorable environment and thus promote and protect the health, safety and welfare of the City and its citizens; and

(11) To ensure compatibility between new and existing developments.

(b) The City Council shall adopt design guidelines or standards by ordinance.

(1) City of Lake Stevens Design Guidelines (Residential Development Handbook for Snohomish County Communities) were readopted on April 17, 1995, for use within City limits, excluding subareas.

(2) Subarea Design Guidelines were adopted in September 2012 as an exhibit of the Lake Stevens Center Subarea Plan and 20th Street SE Corridor Subarea Plan. To assure an attractive, pedestrian-friendly environment, all development occurring within either subarea shall comply with these design guidelines which are attached to the subarea plans. If design guidelines appear to conflict with another provision of this title, the design guidelines shall prevail.

(c) Design Review Board. Review of permit applications for conformance with the development design guidelines shall be done by the Design Review Board in public meetings, as set forth in Section [14.16A.260](#).

(d) Projects requiring design review that meet the limitations in Section [14.16C.020](#)(d) shall follow the procedures established in Chapter [14.16B](#) for a Type I permit process as an administrative design review. All other projects requiring design review shall follow the procedures in subsection (e) of this section.

(e) Procedure.

(1) Pre-Application Meeting. If design review is required, a pre-application meeting with the City is highly recommended prior to submittal of a formal application.

(2) Design Review Submittal Requirements. Seven color, hard copies and one electronic copy are required for each submittal for review by the Design Review Board.

(i) Buildings and Site Development Plans. The following information and materials shall be submitted to the City for review under this chapter:

a. A completed application.

b. Site plan at an engineering scale from one inch equals 20 feet to one inch equals 50 feet, showing:

1. Location of all proposed structures and any existing structures to be retained or incorporated into the development.

2. Location of building setback lines.

3. Proposed pedestrian and vehicular circulation including driveways, access points, sidewalks and pedestrian pathways.

4. Parking lot layout, design and, if applicable, loading areas.

5. Public improvements including sidewalks, curbs, gutters, etc.

6. Location of existing trees and vegetation to be retained.

c. Building material samples and color chips.

d. Plans and section drawings depicting the relationship of the proposed project to abutting properties and buildings.

e. Building elevations and/or perspective renderings drawn to scale and indicating the exterior color and material composition (including mechanical equipment and screening).

f. Roof plan including the location of mechanical equipment.

g. A lighting plan, if required, adequate to determine the location, character, height and style of fixtures and the amount and impacts of spillover on adjacent properties.

h. A brief narrative description of the design elements or objectives of the proposal and discussion of the project's relationship to surrounding properties.

(ii) Landscape Plans. The following information and materials shall be submitted to the City for review under this chapter:

a. A completed application.

b. Site plan at an engineering scale from one inch equals 20 feet to one inch equals 50 feet, showing:

1. Location of all proposed structures and any existing structures to be retained or incorporated into the development.
2. Proposed pedestrian and vehicular circulation including driveways, access points, sidewalks and pedestrian pathways.
3. Parking lot layout, design and loading areas if applicable.
4. Public improvements including sidewalks, curbs, gutters, etc.
5. Location and size of existing trees and vegetation to be retained.
6. Plans and section drawings depicting the relationship of the proposed project to abutting properties and buildings.
7. Landscape plan showing the location of proposed plant materials, including a plant schedule identifying plants by common and scientific names, spacing, size at time of planting, size at maturity, location of any existing vegetation and trees to be retained, and special notes.
8. Photographs of proposed plant material.
9. Plans showing proposed grading/topography, drawn to the same scale as the landscape plan.

(iii) Sign Plans. The following information and materials shall be submitted to the City for review under this chapter:

- a. A completed application.
- b. A site plan, drawn to scale, showing the location of the building upon which the sign will be installed, surrounding buildings, and adjacent streets.
- c. A drawing showing the size, shape and exact location of the proposed sign(s). For wall or building-mounted signs, the drawing shall portray the proposed sign's relationship to any existing or proposed signs located on the same facade or common building wall. Drawings must be to scale or contain dimensions indicating the size of the sign and the length and height of the appropriate building surface.
- d. Dimensions, area (in square feet), and style of letters/symbols of the proposed signs.
- e. A colored illustration of the proposed signs.
- f. Sign materials (wood, plastic, metal, etc.) and color samples.

(iv) The Director may require the submission of such other information determined to be appropriate and necessary for a proper review of the requested action.

(3) Recommendation. A staff report of findings, conclusions and recommendations shall be forwarded to the (~~Planning Commission and~~) Design Review Board before a public meeting. The conclusions and recommendations shall indicate how the recommendations carry out the goals, policies, plans and requirements of the development design guidelines. The findings shall be referenced to contested issues of fact, and the conclusions shall be referenced to specific provisions of the development design guidelines and review criteria incorporated therein, together with reasons and precedents relied upon to support the same. The conclusions shall make reference to the effect of the decision upon the Comprehensive Plan, as well as the effect of both approval and denial on property in the vicinity, on business or commercial aspects, if relevant, and on the general public. The decision shall be based upon a consideration of the whole record of the application.

(f) Conformance with Design Guidelines or Standards.

(1) Structures within the following zones are subject to the design guidelines or standards adopted per subsection (b) of this section, except when the project meets the limitations in Section [14.16C.020](#)(d) or when the development is located within an adopted subarea plan and is required to meet the adopted subarea design guidelines:

- (i) Central Business District (except Class 1.100 or 1.200 uses);
- (ii) Mixed Use (except Class 1.100 or 1.200 uses);
- (iii) Neighborhood Commercial (except Class 1.100 or 1.200 uses);
- (iv) Local Business (except Class 1.100 or 1.200 uses);
- (v) Planned Business District;
- (vi) Sub-Regional Commercial;
- ~~((vii) Commercial Recreation;))~~
- (vii((i))) High Urban Residential;

- (viii(~~(ix)~~)) Multi-Family Residential;
- (ix) Light Industrial;
- (x(~~(i)~~)) General Industrial; or
- (xi(~~(f)~~)) Public/Semi-Public.

(2) Structures are subject to the design guidelines or standards adopted per subsection (b) of this section when developed under specified regulations listed below, except when the project meets the limitations in Section [14.16C.020](#)(d):

- (i) Planned neighborhood developments (Section 14.16C.080);
- (ii) Planned residential developments (Section 14.44.020); and
- (iii) Innovative Housing Options (~~(Demonstration-)~~)Program (Chapter 14.46).

(3) No building or land use permit shall be issued for structures or uses which do not conform to the applicable guidelines or standards, except as allowed under subsection (f)(4) of this section.

(4) A building or land use permit may be issued for a structure or use that does not comply with subsections (f)(1), (2) or (3) of this section, if any one of the following findings can be made by the permit-issuing authority:

- (i) The structure is of a temporary nature which, in all likelihood, will be replaced by a permanent structure within a reasonable time frame.
- (ii) The structure is minor to the overall use of the property and will not be noticeably visible from a public right-of-way.
- (iii) The structure will not be visible from an existing, planned, or proposed public right-of-way.
- (iv) The structure is pre-existing with proposed changes to portions of the facade that are not visible from public rights-of-way.

Section 20. LSMC Section 14.16C.075 entitled “Land Use Code Amendments” is amended to correct the reference to the Planning Department to read as follows:

14.16C.075 Land Use Code Amendments.

- (a) The purpose of this section is to allow amendments to this title.
- (b) Procedure. A land use code amendment shall be reviewed in the manner and following the procedures established in Chapters [14.16A](#) and [14.16B](#) for a Type VI review.
- (c) Initiation of Amendments.
 - (1) Amendments to this title may be initiated by the City Council, the Planning Commission, or the City administration.
 - (2) Any other person may also petition the Planning Department to amend this title. The petition shall be filed with the Department of Planning and Community Development (~~(Services-)~~) and shall include:
 - (i) The name, address, and phone number of the applicant;
 - (ii) A strikeout/underlined version of the existing code showing proposed changes; and
 - (iii) Articulation of the specific objective(s) of any proposed text amendments.
- (d) Upon receipt of a petition, the Planning Director shall either:
 - (1) Determine if the proposed code amendments meet the decision criteria in subsection (f) of this section; or
 - (2) Forward the petition to the Council for a determination on whether to accept and review the petition. The Council may summarily deny the petition or refer it to the Planning Commission for a recommendation.
- (e) Amendments to following are not required for review before the Planning Commission:
 - (1) Chapter [14.60](#) (Utilities).
 - (2) Chapter [14.80](#) (Building and Construction).
 - (3) Chapter [14.84](#) (Fire Code).
- (f) Decision Criteria. In approving code amendments to this title, the City Council shall make the following findings:

- (1) The amendment is consistent with the adopted Lake Stevens Comprehensive Plan;
- (2) The amendment is in compliance with the Growth Management Act; and
- (3) The amendment serves to advance the public health, safety and welfare.
- (g) No ordinance that amends any of the provisions of this title may be adopted until a public hearing has been held on such ordinance.
- (h) Approval. All amendments shall be approved by ordinance of the Lake Stevens City Council.

Section 21. LSMC Section 14.16C.090 entitled “Rezoning – Official Zoning Map Amendments” is amended by amending the process upon receipt of a petition and other minor changes to read as follows:

14.16C.090 Rezoning - Official Zoning Map Amendments.

- (a) The purpose of this section is to set forth criteria for amendments to the Official Zoning Map, adopted pursuant to Section [14.36.100](#).
- (b) Types of Rezoning and Map Amendments. Rezoning are either site-specific or area-wide. Map amendments are considered major if they rezone five or more tracts of land in separate ownership or any parcel of land, regardless of the number of lots or owners, in excess of 50 acres. All other map amendments are minor.
- (1) Site-specific rezoning are rezoning of a particular property(ies) which conform to the Comprehensive Plan or an adopted subarea plan.
- (2) Area-wide rezoning are rezoning which require a Comprehensive Plan amendment, include a large area, or the adoption of a new or substantially revised neighborhood or area-wide zoning map amendment.
- (c) Procedure. A site-specific rezone shall be reviewed in the manner and following the procedures established in Chapters [14.16A](#) and [14.16B](#) for a Type IV review. An area-wide rezone shall be reviewed in the manner and following the procedures for a Type VI review and require a concurrent amendment to the Comprehensive Plan.
- (d) Initiation of Amendments.
- (1) Amendments to the Official Zoning Map may be initiated by the City Council, the Planning Commission, or the City Administration.
- (2) Any other person may also petition the Planning Department to amend the Official Zoning Map. The petition shall be filed with the Department of Planning and Community Development (~~Services~~) and shall include:
- (i) The name, address, and phone number of the applicant;
- (ii) A description of all land proposed to be rezoned including a map highlighting the specific parcels; and
- (iii) A rationale for the proposed map changes.
- (e) Upon receipt of a petition, the Planning Director will determine if the proposed zoning map amendments meet the decision criteria in subsection (g) of this section and shall either:
- (1) Refer the proposed amendment to the Hearing Examiner for a site-specific rezone for a recommendation to Council (~~Determine if the proposed zoning map amendments meet the decision criteria in subsection (g) of this section~~); or
- (2) Refer the proposed amendment to the Planning Commission for an areawide rezone for a recommendation to Council.
- (f) Special Application Requirements for Site-Specific Rezoning.
- (1) No application shall be filed or accepted for filing which on its face will not comply with the Lake Stevens Comprehensive Plan or an adopted subarea plan.
- (2) No application without signatures of owners representing 75 percent of the area proposed for rezone shall be filed or accepted for filing.
- (g) Decision Criteria. The following factors are to be taken into account by the Planning Commission, Hearing Examiner and the City Council when considering a map amendment:
- (1) The amendment complies with the Comprehensive Plan Land Use Map, policies, and provisions and adopted subarea plans;
- (2) The amendment is in compliance with the Growth Management Act;
- (3) The amendment serves to advance the public health, safety and welfare;

- (4) The amendment is warranted because of changed circumstances, a mistake, or because of a need for additional property in the proposed zoning district;
- (5) The subject property is suitable for development in general conformance with zoning standards under the proposed zoning district;
- (6) The amendment will not be materially detrimental to uses or property in the immediate vicinity of the subject property;
- (7) Adequate public facilities and services are likely to be available to serve the development allowed by the proposed zone;
- (8) The probable adverse environmental impacts of the types of development allowed by the proposed zone can be mitigated, taking into account all applicable regulations, or the unmitigated impacts are acceptable;
- (9) The amendment complies with all other applicable criteria and standards in this title; and
- (10) If the proposal is located within an adopted subarea plan:
 - (i) The rezone is to a zoning designation allowed within the applicable subarea; and
 - (ii) The rezone does not increase the established intensities adopted as part of the planned action ordinance or mitigates increased or additional impacts by supplementing, amending or adding the applicable planned action draft and final environmental impact statement.
- (h) Approval. All amendments shall be approved by ordinance by the Lake Stevens City Council.
- (i) Withdrawal. Any application for a site-specific rezone may be withdrawn upon the written request of any one of the property owners who signed the application, if the remaining owners do not own 75 percent of the area.
- (j) Reapplication after Denial without Prejudice. After the Council's final action denying a rezone, no further rezone action involving substantially the same property shall be requested for at least one year. If the Council finds that extraordinary circumstances exist, or that the request might deserve approval in the near future, but not at the present time, then the rezone may be denied without prejudice. In such a case, if the rezone request is reactivated in writing by the applicant within six months, and is reheard within nine months of the date of the original action, then the original case file and number shall be used and the rezone fee shall be waived.
- (k) Review or Revocation of Approval. Rezones and any concurrent or subsequent approvals issued pursuant to this chapter may be reviewed or revoked in accordance with Section [14.16A.255](#).

Section 22. LSMC Section 14.18.045 entitled "Endorsements on Short and Long Subdivision Plats" is amended by specifying Council approval for long subdivisions to read as follows:

14.18.045 Endorsements on Short and Long Subdivision Plats.

All subdivision plats shall contain the following endorsements, specific language of which is to be made available by the Planning Director: certificate of subdivision approval, certificate of approval of public improvements, certificate of ownership and dedication, certificate of survey and accuracy, certificate of City Treasurer, City Council Approval (for long subdivisions only), Snohomish County Treasurer's certificate, and recording certificate.

Section 23. LSMC Section 14.18.070 entitled "Boundary Line Adjustments" is amended by correcting the application name to read as follows:

14.18.070 Boundary Line Adjustments.

(a) Minor lot line adjustments are exempt from the subdivision regulations. Minor lot line adjustments to existing legal lots are permitted when no new lots are created through the process and the adjusted lots either meet all requirements of this title and other City

regulations. In the case of existing legal nonconforming lots, the adjustment shall not create a new or greater nonconformity with respect to any City regulations.

(b) Application for a boundary line adjustment (BLA) is made by submitting to the Planning Director a land use development~~((master permit))~~ application, with a survey of the subject property showing existing and proposed lot lines, before and after legal descriptions, owner's certificate, surveyor's certificate, and Planning Director's approval certificate.

(c) To finalize an approved boundary line adjustment, it shall be recorded with the Snohomish County Auditor's Office no later than one year after final approval has been issued by the Planning Director or the application and approval shall lapse and a new application must be submitted.

(d) Recording fees and applicable state fees shall be paid by the applicant. Immediately after recording, copies of the recorded BLA documents shall be provided to the City. The BLA shall not take effect until recorded with the Snohomish County Auditor and copies returned to the City.

(e) The department may grant up to a one-year extension of a BLA for good cause, if a written request for extension, including a description of reason for request, is submitted to the Planning Director at least two weeks before approval lapses.

(f) If the BLA affects more than one property owner, a conveyance document(s) shall be recorded at the same time as the BLA documents. The conveyance document(s) shall establish ownership consistent with the approved, adjusted boundaries.

(g) When a BLA is recorded subsequent to a record of survey for the same property, the recording number of the record of survey shall be noted on the BLA map.

Section 24. LSMC Section 14.18.175 entitled "Recording with County Auditor" is amended by correcting boundary line adjustment to binding site plan to read as follows:

14.18.175 Recording with County Auditor.

(a) To finalize an approved binding site plan~~((boundary line adjustment))~~, it shall be recorded with the Snohomish County Auditor's Office no later than one year after final approval has been issued by the Planning Director or the application and approval shall lapse and a new application must be submitted.

(b) Immediately after recording, copies of the recorded binding site plan~~((BLA))~~ documents shall be provided to the City. The BLA shall not take effect until recorded with the Snohomish County Auditor and copies returned to the City.

Section 25. LSMC Section 14.36.100 entitled "Official Zoning Map" is amended by removing reference to acetate maps to read as follows:

14.36.100 Official Zoning Map.

(a) There shall be a map known and designated as the Official Zoning Map, which shall show the boundaries of all zoning districts within the City's planning jurisdiction. ~~((This map shall be drawn on acetate or other durable material from which prints can be made, shall be dated, and shall be kept in the Planning Department.))~~

(b) The Official Zoning Map dated May 11, 2009, is adopted and incorporated herein by reference. Amendments to this map shall be made and posted in accordance with Section [14.16C.090](#).

(c) Should the Official Zoning Map be lost, destroyed, or damaged, the Planning Director may have a new map created~~((drawn on acetate or other durable material from which prints can be made))~~. No further Council authorization or action is required so long as no district boundaries are changed in this process.

Section 26. LSMC Section 14.38.040 entitled "Dimensional Regulations" is amended by revising a column title and adding a note to read as follows:

14.38.040 Dimensional Regulations.

Table 14.38-I Dimensional Regulations

Zone	Minimum Lot Size	Building Setback (from lot (property) line, tract or easement) (ft) ¹³		Min. Landscape Buffer (ft) ⁷	Min. First Floor Height (ft)	Max. Height (ft) ^{9, 10}
		Front	Side/Rear			
Commercial Zones						
BD	NA	5	10 ^{4,5}	5	12	55
CD	NA	5	10 ^{4,5}	5	15	55
NB	NA	5	10 ^{4,5}	5	15	35
Mixed Use Zones						
MS	NA	5 ¹	0 ^{4,5,6}	5	15	55
MUN	NA	10 ^{2,3}	10 ^{5,6}	5	15 ⁸	45
Residential Zones						
HUR ¹¹	3,600 sq. ft. ¹²	10 ^{2,3}	5 ⁵	5	NA	45
UR	7,500 sq. ft. ¹²	20 ³	5	NA	NA	35

Notes:

1. The minimum required setback is five feet and the maximum allowed setback is 10 feet in the MS district.
2. The minimum required setback is 10 feet and the maximum allowed setback is 20 feet.
3. Porches, covered entries, or pedestrian-oriented spaces may project up to five feet into front yard setbacks in residential districts.
4. Districts that allow commercial uses shall maintain a 10-foot, Type B screen when adjacent to residential zones, per Section [14.76.040\(a\)](#).
5. Structures 35 feet or taller next to single-family districts must be stepped back five feet for every floor over 35 feet per Figure 14.38-II.



Figure 14.38-II illustrates stepping back the upper stories of a structure, adapted from the Everett Municipal Code.

6. Attached housing units or attached commercial structures built on separate lots can be built to the common property line. The outside setback for attached structures abutting a right-of-way, separate detached structures, or a different zone shall be 10 feet.

7. Landscape buffers will be comprised of a Type C screen per Section [14.76.040\(a\)](#) along property lines; however, the City may waive the landscape buffer when adjacent properties share parking, access, or other common features that make intensive landscaping impractical. In addition, perimeter landscape buffer along property lines of adjacent high-density single-family lots is not required; however, screening different developments from neighboring properties will provide separation, vegetation and define each development. The front landscaping buffer does not apply in the MS district.

8. The first floor height of residential structures in the MUN district, without an attached retail/service component, not facing a public right-of-way may be reduced to industry standard.

9. If a project includes a parking structure or affordable housing FAR bonus, as described in Section [14.38.050\(b\)](#), the City will also allow an overall height increase of 10 feet above maximum height.

10. The City will consider an increase in maximum height up to 80 feet with a conditional use permit per Section [14.16C.045](#).

11. Maximum impervious surface for parcels in the HUR district is 65 percent.

12. When developed as a planned residential development (Section 14.44.020) the per unit lot size may be reduced to 3,000 square feet for HUR district and 6,000 square feet for the UR district in return for the dedication of additional open space at the ratio of 400 square feet per dwelling unit.

13. Eaves and other minor architectural features may project into the required setback up to 18 inches.

Section 27. LSMC Section 14.38.100 entitled "Signs" is amended by amending freestanding signs to read as follows:

14.38.100 Signs.

(a) Purpose and Application. Ensure that signage provides effective advertising and identification with appropriate design, scale, and placement. Developments within the subareas are subject to the sign regulations found in Chapter [14.68](#) and applicable design guidelines, except when this chapter modifies the standard municipal code requirements.

(b) Allowed Signs.

- (1) Changeable text signs per Section [14.68.084](#).
 - (2) Freestanding signs.
 - (3) Informational/directional signs.
 - (4) Projecting/suspended signs.
 - (5) Residential signs per Section [14.68.090](#).
 - (6) Signs excluded from regulation per Section [14.68.020](#).
 - (7) Temporary signs per Section [14.68.030](#).
 - (8) Wall signs.
 - (9) Window signs.
- (c) Prohibited Signs.
- (1) Animated or flashing signs, except as allowed in Section [14.68.120](#).
 - (2) Off-site signs, except as allowed by Section [14.68.030](#) and subsection (f) of this section.
 - (3) Portable signs.
 - (4) Roof signs.
 - (5) Signs which are located on or extend over public rights-of-way.
 - (6) Temporary signs except as allowed by Section [14.68.030](#).
- (d) Projecting/Suspended Signs, Wall Signs, and Window Signs.
- (1) Table 14.38-IV establishes the dimensional and quantitative requirements for projecting/suspended signs, wall signs, and window signs.
 - (2) Projecting/Suspended Signs.
 - (i) Projecting signs shall not extend more than five feet from a building facade;
 - (ii) Suspended signs are limited to approximately two inches in thickness and may not extend beyond the structure to which it is attached;
 - (iii) Projecting/suspended signs must provide a minimum of eight feet of clearance from the ground to the bottom of the sign; and
 - (iv) A minimum spacing of 20 feet between signs must separate projecting/suspended signs.
 - (3) Wall Signs.
 - (i) Wall signs shall be generally located in the storefront area above the main entrance along primary facades and beneath the roofline or cornices on secondary facades;
 - (ii) Second story signs shall be generally located directly above or below windows, but not higher than the belt course between the next story or below the roofline or cornices, as illustrated in Figure 14.38-IV;
 - (iii) Wall signs shall be generally centered between defined architectural elements and may not extend beyond defined architectural features;
 - (iv) Wall signs may be located on building focal points, if the sign does not extend beyond defined architectural features;
 - (v) Wall signs shall not project more than 10 inches from the building;
 - (vi) Wall signage may be located on awnings and marquees or similar structures only when the design of the building facade prohibits wall signs on the storefront facade and the signage does not extend beyond defined architectural features; and
 - (vii) The wall sign area calculation is defined in Table 14.38-IV and the maximum area will be based on the size of the associated gross business area, as follows:
 - a. Five thousand gross square feet or less: 32 square feet;
 - b. Five thousand one to 15,000 gross square feet: 96 square feet; and
 - c. Over 15,001 gross square feet: 192 square feet.
 - (viii) Sign area is not transferable.



Figure 14.38-IV Signage Placement Diagram from Mill Creek Town Center Design Guidelines

Table 14.38-IV Sign Standards

Sign Type ¹		BD	CD ²	NB	MS ²	MUN ²
Projecting/Suspended	Sign Area	NA	10 sq. ft. max. and no more than 5 ft. in width	6 sq. ft. max. and no more than 3 ft. in width		
	Maximum Number	NA	1 projecting or suspended sign per main facade or leasable frontage			
Wall³	Sign Area	Main: 10% of building facade Secondary: 5% of building facade	Main: 15% of building facade Secondary: 10% of building facade	Main: 10% of building facade Secondary: 5% of building facade		
	Maximum Number	1 per facade 2 facades may have signs	1 per facade ⁴ 3 facades may have signs	1 per facade 2 facades may have signs		
Window⁵	Sign Area	10% percent of window area	20% percent of window area	10% percent of window area		

Notes:

1. Each leased space or building frontage may have one projecting sign or one suspended sign, but not both.
2. Residential signage shall conform to Section [14.68.090](#).
3. Wall sign calculation: the facade area (first 12 feet of the building height) multiplied by the total facade length or leasable frontage for multi-tenant buildings (example: [12 x 30 = 360] [360 x 15% = 54 sq. ft.]). The sign calculation for second story signage would be the leasable frontage multiplied by the height of the story (example: [12 x 20 = 240] [240 x 15% = 36 sq. ft.]).
4. Building over 15,000 gross square feet, with a primary facade length over 100 linear feet, may have two signs along the primary facade for the primary businesses and one sign

per enclosed secondary business. Sign area for all signs will be included in the maximum sign area.

5. Commercial signage for businesses on third stories and above would be limited to window signs.

(e) Freestanding Signs.

(1) Table 14.38-V establishes the dimensional and quantitative requirements for freestanding signs including monument and pole/pylon signs.

(2) Freestanding signs shall be located no closer than five feet to public rights-of-way or access easements measured from the face of the sign to the back of the ROW or easement.

(3) No signs shall obstruct sight distance at street intersections or driveways per Section [14.68.120\(d\)](#).

(4) The height of freestanding signs shall be measured from the average ground level at the sign's base.

(5) Freestanding signs must provide an architectural base, with a minimum height of 12 inches.

(6) Each freestanding sign shall provide a landscaped area around the base of the sign per the following:

(i) One and one-quarter square feet of landscaping per one square foot of sign area with a minimum area of 50 square feet and a minimum width of five feet measured from the outside of the curb or the edge of the landscape bed;

(ii) The landscape area and sign base shall be protected from vehicles by a six-inch curb, if adjacent to drive aisles or parking areas;

(iii) The landscape area must include a mix of shrubs, perennials and/or annual flowers, and other standard landscape material; and

(iv) The landscape area may include other materials and components such as brick or concrete bases, planter boxes, pole covers, decorative framing, and accent lighting.

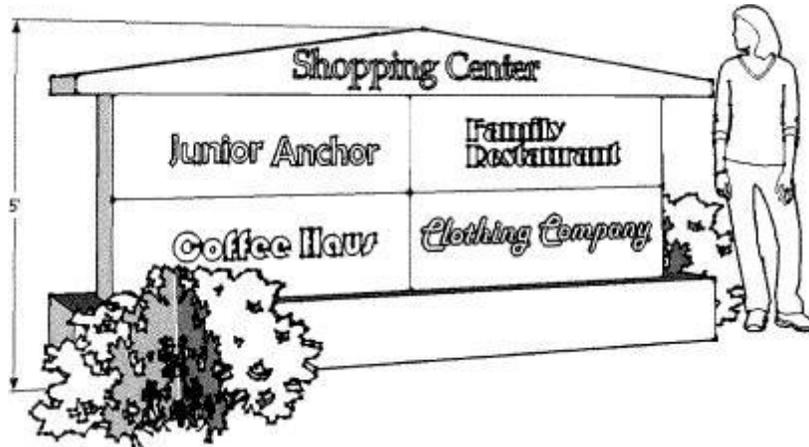


Figure 14.38-V Monument Sign

Table 14.38-V Freestanding Sign Standards

Sign Type		CD	NC	BD	MS	MUN
Monument	Sign Area ¹ (sq. ft.)	75	50	50	50	25
	Sign Height	15 ft.	10 ft.	10 ft.	5 ft.	5 ft.
	Number ^{2,3,4}	1	1	1	1	1
Pole/Pylon ⁵	Sign Area ¹ (sq. ft.)	100	NA	NA	100	NA

	Sign Height	20 ft.			20 ft.	
	Number	1			1	

Notes:

1. For freestanding signs with multiple faces, only the sign area of a single face is calculated per Section [14.68.040](#).
2. Each site with commercial uses may install one freestanding identification sign or multi-tenant identification sign per site.
3. Commercial centers with more than one frontage may install two identification and/or multi-tenant identification signs with one freestanding sign along the primary frontage and a second sign along the secondary frontage, with a minimum separation of 100 feet between the signs, including separation of off-site and highway-oriented signs. Freestanding signs located along secondary frontages must be reduced by 25 percent in sign area and height.
4. Any detached structure greater than 5,000 square feet in gross area, occupied by a single business, located on a defined building pad, within a commercial center over five acres may have an additional freestanding sign not exceeding 25 square feet in area and having a maximum height of five feet.
5. Pole/pylon signs are limited to highway-oriented sign requirements pursuant to subsection (f) of this section.
 - (f) Off-Site Signage.
 - (1) The provisions contained in this section recognize the need for certain businesses located within the Commercial district, Business district and Main Street district, in proximity to state highways (SR-9 and SR-204) and/or major arterials, but with limited visibility to install off-site signs.
 - (2) The City shall review the need for off-site signage against the following criteria:
 - (i) The business(es) is located more than 100 feet from the right-of-way, measured from the nearest point to the edge of right-of-way;
 - (ii) The business(es) shall demonstrate that on-site signs cannot adequately convey the location and identity of the business(es) because of poor visibility or traffic patterns unique to its location;
 - (iii) The off-site sign does not create adverse impacts to surrounding businesses, pedestrians, or motorists including, but not limited to, glare and sight obstructions;
 - (iv) The sign is not out of scale or character with allowed signs for nearby uses and employs distinct architectural features associated with the primary building or complex;
 - (v) The advertising structure does not detract from the goals, objectives, and policies of the subarea plan; and
 - (vi) The applicant has provided a recorded easement or expressed written permission, including maintenance provisions, from the property owner of the premises where the off-site sign is to be located.
 - (3) Content of Off-Site Signage.
 - (i) The off-site sign contains a message area that identifies the complex by name or district and may contain its address;
 - (ii) The off-site sign identifies one or more businesses in the complex or district by name and may include corporate logos; and
 - (iii) The off-site sign contains directional information, such as exit number, route information (e.g., next left), and may contain directional arrows.
 - (iv) The off-site sign may not include promotional information for individual businesses or display or support temporary signs, banners, pennants, etc.

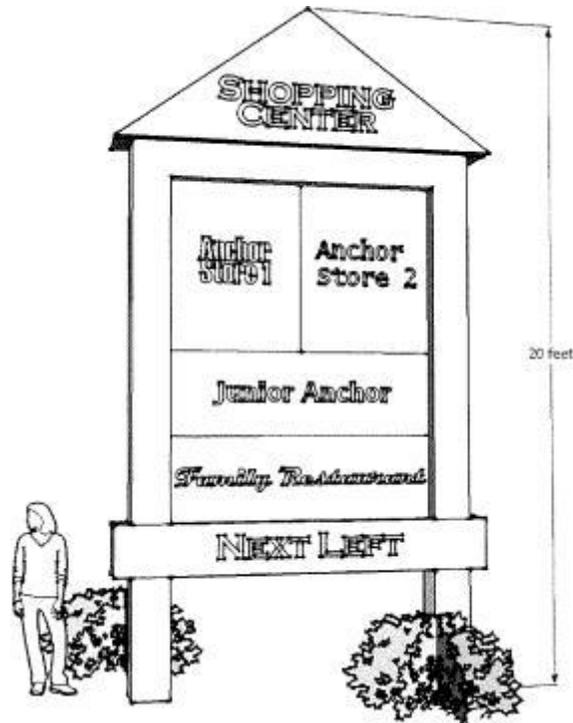


Figure 14.38-VI Off-Site Sign

(g) Informational/directional signs mean signs within a commercial or business park development that convey information; indicate the name of a particular use, such as “pharmacy” or “lumber”; and provide direction to specific uses such as “drive-through” or “exit,” but do not contain specific advertising, except for building directories.

(1) Attached signs are limited to a maximum of two percent of the building facade or leased storefront area.

(2) Freestanding signs are limited to a maximum of four square feet (~~except restaurant menu signs, which are limited to a maximum of 12 square feet~~).

(3) Building directories are limited to a maximum of 10 square feet for the purpose of identifying upper floor tenants or first floor tenants that do not have outside building frontage adjacent to the entrance for such businesses.

(4) Primary restaurant menu signs are limited to a maximum of 32 square feet and secondary menu signs are limited to a maximum of 12 square feet. Only one menu sign of each type is allowed per business. Menu signs are subject to the design requirements for freestanding signs.

(h) Sign Modifications. To provide flexibility, the City will consider modifications to the sign regulations for signs that display outstanding design elements per the requirements of Section [14.68.124](#).

(i) Legal Nonconforming Signs.

(1) All legally existing signs at the time of the adoption of the ordinance codified in this chapter that are not in compliance with the requirements of this chapter are nonconforming signs. The burden of establishing a sign’s legal status, under this chapter, is the responsibility of the sign or business owner.

(2) Legal nonconforming signs are subject to the requirements of Section [14.68.150](#) (Nonconforming Signs).

(3) Violations. Any violation of this chapter shall terminate immediately the right to maintain a legal nonconforming sign.

Section 28. LSMC Section 14.40.010, Table 14.40-I, entitled “Table of Permissible Uses by Zones” is amended by adding two footnotes (#21 and #22) and removing two Use Descriptions (32.000 and 33.000 to read as follows (All other provisions of 14.44.010 remain unchanged and in effect):

- Add footnote #21 to “PA” in CBD column for Use Description “9.100”
- Add footnote to the table to read as follows:
²¹ Only allowed in the Central Business District on properties north of 20th Street NE.
- Add footnote #22 to Use Description “15.340 Sewage/septic sludge recycling”
- Add footnote to the table to read as follows:
²² Only allowed as an Essential Public Facility pursuant to Section 14.16C.060.
- Remove Use Descriptions “32.000 Land Clearing, Logging in Conformance with Chapter 14.88” & “33.000 Respective Uses Permissible in Respective Sensitive Areas as Per Chapter 14.88)

Section 29. LSMC Section 14.40.020 entitled “Use of the Designations P, A, C in Table of Permissible Uses” is amended to better describe the difference between PA and PC to read as follows:

14.40.020 Use of the Designations P, A, C in Table of Permissible Uses.

(a) The Table of Permissible Uses (Table 14.40-I) sets forth which uses are permitted in which zones. The letter “P” means the use is permitted or allowed in the indicated zone district subject to all code requirements of this title. The letter “A” means the use requires an administrative conditional use permit, and the letter “C” means the use requires a conditional use permit. No letter means that use is not permitted in the indicated zone district.

(b) When used in connection with residential uses (use classification 1.000), the designation “PAC” means that such developments of less than five dwelling units are a permitted use when code requirements are met, developments of five or more but less than 13 dwelling units need an administrative conditional use permit, and developments of 13 or more dwelling units require a conditional use permit.

(c) When used in connection with nonresidential uses, the designation “PA” means that such developments are permitted if the lot to be developed is less than one acre in size and require an administrative conditional use permit if the lot is one acre or larger in area;~~(($\frac{1}{7}$))~~ and the designation “PC” means that such developments are permitted if the lot to be developed is less than one acre in size and require a~~((an administrative conditional or))~~conditional use permit is required if the lot is one acre or larger in area.

Section 30. LSMC Section 14.40.040 entitled “Permissible and Prohibited Uses” is amended by adding one additional prohibited use to read as follows:

14.40.040 Permissible and Prohibited Uses.

(a) The presumption established by this title is that all legitimate uses of land are addressed within the Table of Permissible Uses, and are either allowed or not allowed thereby. But because the list of permissible uses set forth at the end of this chapter cannot be all inclusive, those uses that are listed shall be interpreted liberally to include other uses that have similar impacts to the listed uses.

(b) Without limiting the generality of the foregoing provisions, the following uses are specifically prohibited in all districts:

- (1) Any use that involves the manufacture, handling, sale, distribution, or storage of any highly combustible or explosive materials in violation of the City’s fire prevention code.
- (2) Stockyards, slaughterhouses, rendering plants.

(3) Use of a travel trailer, motor home, or other recreational vehicle as a permanent residence. Recreational vehicles may be used as a temporary guest residence for up to two weeks without a permit, or up to three months within any one consecutive year upon approval by the Planning Director. Situations that do not comply with this subsection on the effective date of the ordinance codified in this title are required to conform within one year.

(4) Use of a motor vehicle parked on a lot as a structure in which, out of which, or from which any goods are sold or stored, any services are performed, or other business is conducted. This prohibition does not apply to temporary public services, such as bookmobiles, blood donation centers, public service information, etc., or temporary food vendors allowed pursuant to Sections [14.44.400](#) and [14.44.410](#) (situations that do not comply with this subsection on the effective date of the ordinance codified in this title are required to conform within 30 days).

(5) Medical cannabis (marijuana) collective gardens and medical cannabis (marijuana) dispensaries, as those terms are defined or described in this code and/or under state law, are prohibited in all zoning districts of the City of Lake Stevens.

(6) Sewage/septic sludge recycling except when approved as an Essential Public Facility pursuant to 14.16C.060.

Section 31. LSMC Section 14.44.020 entitled “Planned Residential Developments” is amended by removing reference to subsections removed from the code to read as follows:

14.44.020 Planned Residential Developments.

It is intended that a PRD will: result in a residential environment of higher quality than traditional lot-by-lot development by being held to higher standards of design of buildings, parks, open space, landscaping, roadways, entrance and other project features; provide flexibility to the property owners; protect critical areas and significant stands of trees; encourage a variety or mixture of housing types; and encourage compatibility of the development with the surrounding neighborhood. In addition to meeting the other relevant requirements of this title, Planned Residential Developments (PRDs) must comply with the following:

(a) The PRD may only be located on tracts of at least five acres within a Suburban Residential, Urban Residential, High Urban Residential, or Multi-Family Residential zoning district.

(b) The gross density of a PRD shall not exceed the allowable density specified in Section [14.48.010](#).

(c) Permissible types of residential uses within a PRD include single-family detached dwellings (use classification 1.111), single-family attached (1.130), two-family residences (1.200), and multifamily residences (1.300) regardless of the underlying zone.

(d) In the SR and UR zones the developer may create lots and construct buildings with reduced lot size, width, or setback restrictions, except that:

(1) In the SR zone, perimeter lots must have a minimum area of 7,500 square feet and width of 60 feet, and in the UR zone, perimeter lots must have a minimum area of 6,000 square feet and width of 45 feet.

(2) At least 50 percent of the total number of dwelling units must be single-family detached residences on lots of at least 6,000 square feet in all zones except for the Multi-Family Residential.

(3) Comply with the fire protection requirements of the International Building Code (IBC) and the International Fire Code (IFC). Additional fire protection is required by these rules when setbacks are reduced below the standard five feet.

(4) Setback requirements of the underlying zone shall apply for all property lines located on the perimeter of the PRD.

(5) Each lot must be of a size and shape to contain the proposed improvements.

(6) The lots are designed so that homes can be constructed at least 15 feet from any environmentally critical area buffer.

(7) In providing additional amenity pursuant to subsection (h) of this section, priority shall be given to maintaining native areas in a natural condition.

(8) Homes shall be designed so as to minimize the visual impact of garages and automobiles from the streets and sidewalks through either:

(i) Providing alleys which provide access to the garage at the rear of the lot;

or

(ii) Locate the garage at least 20 feet behind the front of the house; or

(iii) Locate the garage at least five feet behind the front of the house, with the combined width of garage doors no wider than 18 feet or 50 percent of the width of the front of the house (including garage), whichever is less.

(e) The design of a PRD, including site layout, landscaping, public facilities (e.g., storm drainage, parks, streets, etc.) and building design shall be subject to Design Review Board (DRB) approval and shall meet the City's adopted Development Design Guidelines. In lieu of the DRB approving each SFR structure, the applicant may propose project-specific design guidelines, in which case the DRB may approve the guidelines, to be implemented administratively by the Department of Planning and Community Development. Where authority is granted by the DRB to staff to review individual single-family residential structures, the DRB shall be the arbiter between the applicant and staff.

(f) When located in the SR, UR or HUR zone, multifamily portions of a PRD shall be developed more toward the interior rather than the periphery of the tract so that only single-family detached residences border adjacent properties and roads.

(g) Type A screening (Chapter 14.76) shall apply to the exterior boundaries of the PRD, but are not required between uses within the PRD.

(h) When creating a PRD, the applicant must improve 10 percent of the site with common amenities, in addition to the open space requirements (~~Sections 14.52.010 and 14.52.030~~). The amenities can include, but are not limited to, additional usable open space area, landscaped entries into the project (in addition to the standard roadway dedication and landscaping requirements), landscape islands in the center of roads, special treatment of roads (such as concrete pavers), protection of significant clusters of trees, or other amenities as may be appropriate. Common amenities do not include protected critical areas and their buffers, unless passive recreation is provided within the buffer areas. In such case, credit for trails will be given at a rate of 10 square feet for each lineal foot of trail, 10 square feet for each park bench and five square feet for each interpretive sign. Park space will be given credit towards meeting this requirement only when it meets the criteria for dedication contained in Chapter [14.120](#).

(i) Protected critical areas and significant stands of trees will be used as an amenity to the project through such techniques as providing pervious trails and benches in buffers and significant stands of trees, orienting buildings to create views, and any other technique to provide visual and physical access.

Section 32. LSMC Section 14.44.075 entitled "Farm Animals" is amended to combine two subsections for better clarity to read as follows:

14.44.075 Farm Animals.

~~((a))~~ Farm animals are permitted in residential zoning districts, provided the following standards are met:

~~a~~(1) The keeping of animals complies with the animal regulations contained in Title [5](#) of the Lake Stevens Municipal Code.

~~b~~(2) ~~((Except as provided for below, f))~~ Farm animals may be kept only on lots of two and one-half acres or larger ~~except~~(-

~~3~~-S) ~~s~~ small farm animals such as rabbits, fowl, and household pets (including pot-belly pigs) may be kept on residential lots of any size, provided they are kept in a manner so as not to constitute a nuisance pursuant to Chapter [9.60](#) (Nuisances).

~~c~~(4) Farm animals may be kept only for the personal use, whether it be for recreational, personal enjoyment, social and educational purposes or food production. Keeping of animals for commercial purposes is prohibited in residential zones, except where specifically allowed pursuant to Table 14.40-I.

~~d~~(5) Farm animals must be kept a minimum of 50 feet from any stream buffer or wetland buffer.

Section 33. LSMC Section 14.44.085 entitled “Motor Vehicle Sales in the Central Business District” is repealed as it is moved to a footnote in Table 14.40-I.

Section 34. LSMC Section 14.44.110 entitled “Restrictions and Requirements” is amended to correct the reference to critical areas to read as follows:

14.44.110 Restrictions and Requirements.

All clearing, grading, filling, and excavation, regardless of whether or not a permit is required, is subject to the following requirements:

(a) No clearing, grading, filling, or excavation is allowed in a ~~(non-environmentally sensitive)~~ critical area and its buffers where such activities are prohibited by Chapter [14.88](#).

(b) For single-family and duplex lots, no grading shall be allowed which results in the impervious surface area of the lot to exceed 40 percent of the total lot area. If the lot has 40 percent or more impervious surface area prior to grading, no additional impervious surface area is allowed.

(c) No clearing, grading, filling, or excavation, except that necessary for essential repairs of permitted private structures or construction of public infrastructure or facilities, is permitted outward from the shores of Lake Stevens.

(d) Adequate temporary erosion and sedimentation control (TESC) measures shall be approved and installed per Chapter [14.64](#) (Floodways, Floodplains, Drainage, and Erosion) prior to any disturbance of soils.

(e) All disturbed areas shall be hydro-seeded and mulched, sodded, or otherwise protected within 48 hours of disturbance.

(f) All potentially impacted ~~(environmentally sensitive)~~ critical areas and their buffers shall be delimited with a construction limits fence prior to any disturbance of the soil.

(g) The applicant shall present to the City a valid NPDES permit, where required, prior to any disturbance of soil.

(h) Environmental review of grading associated with site development may be done concurrently with the environmental review of the project (e.g., preliminary plat, land use permit, or building permit), allowing for grading for public improvements to be permitted by approval of the construction drawings. However, the application shall specifically state that grading is a part of the application, and the permit shall specifically state what grading is permitted, or the grading shall not be considered permitted.

(i) During the below listed dates all grading and clearing shall be phased as follows:

(1) For grading activity not associated with a plat, between October 1st and March 31st no more than one-fourth acre, or 50 cubic yards of soil, whichever represents the least amount of soil, may be moved or graded at any one time before that portion of the project is closed up per subsection (d) of this section.

(2) Between October 1st and March 31st, grading of individual building lots in a plat shall be phased, with no more than 10 lots being graded in a plat at any one time. Before additional lots can be graded, the previously graded lots shall be hydro-seeded and mulched, sodded, or otherwise protected.

(j) Clearing activities of 10,000 square feet or more in any twelve month period shall comply with the retention and protection of large tree requirements as contained in Section [14.76.120](#). Replacement trees shall be located in such a manner they will not be disturbed when the site develops in the future. In addition, no more than 10 percent of significant trees or 50 percent of all trees on a site may be removed unless and until it is done as part of a plan which has received the appropriate land use permit(s) from the City. The applicant shall include a conceptual plan showing how the protected trees will be able to be retained at the time of site development.

Section 35. LSMC Section 14.44.240 entitled “Smoke and Air Pollution” is amended to correct the agency name to read as follows:

14.44.240 Smoke and Air Pollution.

(a) Any 4.000 classification use that emits any “air contaminant” as defined in Regulations 1, 2, or 3 of the Puget Sound Clean Air (~~(Pollution Control)~~) Agency shall comply with applicable state standards concerning air pollution, as set forth in Regulations 1, 2, or 3 of the Puget Sound Clean Air (~~(Pollution Control)~~) Agency.

(b) No Planning Director approval, administrative conditional use, or conditional use permit may be issued with respect to any development covered by subsection (a) of this section until the Puget Sound Clean Air (~~(Pollution Control)~~) Agency has certified to the permit-issuing authority that the appropriate state permits have been received by the developer, or that the developer will be eligible to receive such permits and that the development is otherwise in compliance with applicable air pollution laws.

Section 36. LSMC Section 14.44.330 entitled “Location of Parking in Two-Family and Multifamily Structures” is amended by amending the title to read as follows:

14.44.330 Location of Parking in (~~(Two-Family and)~~) Multifamily Structures.

For multifamily (Class 1.300) uses, in no instance shall street level parking areas be allowed within 25 feet of a public right-of-way unless it is substantially shielded from public view.

Section 37. LSMC Section 14.46.020 entitled “Application” is amended to delete the reference to a demonstration project to read as follows:

14.46.020 Application.

Applications for an innovative housing (~~(demonstration)~~) project shall be made on forms provided by the City, shall be available for public review for a minimum of two weeks prior to the neighborhood meeting, and shall include the following materials:

(a) Preliminary Development Plan. A site plan of the proposed development, indicating property lines, proposed setbacks, and lot coverage calculations. The site plan shall also include the location of all adjacent structures, the distance to property lines, and the footprint of any existing structures on the property with a note on which structures will remain. The preliminary development plan shall consist of a site plan drawn to scale and shall display the following information:

- (1) The location, size, configuration, and dimensions of the lot(s) on which the cottage housing development will be developed;
- (2) The location and footprint for each cottage;
- (3) A depiction of individual dwelling unit area that delineates the spacing around each cottage;
- (4) A delineation of the common open areas;
- (5) The height and square footage of each cottage;
- (6) The parking locations, layout, circulation, ingress and egress;
- (7) The location, if applicable, of any buildings to be used in common by the residents of the cottage housing development;
- (8) The layout and dimensions of pedestrian circulation from the parking areas to the cottages, and connecting the cottages;
- (9) Design illustrations that show, and a design checklist that lists, the design features that constitute the required design points for each cottage;
- (10) A depiction of the driveway access from a publicly maintained street to the cottage housing development parking areas, with its dimensions; and
- (11) Any other information the Director finds necessary to ensure compliance with this title.

(b) Conceptual drawings of the proposed innovative housing type, including building footprints and building elevations, floor plans, roof plans, and additional architectural features.

(c) A detailed description of how the proposed development is consistent and not in conflict with the surrounding neighborhood character and neighborhood design.

(d) A detailed description of how the proposed development meets the purpose and goals of this chapter and complies with all the criteria and project parameters for an innovative housing project.

(e) A detailed description of the proposed unit type, including proposed square footage, unit mix, and number of bedrooms per unit.

(f) General information about the site including the number of dwelling units allowed by the zone and the number of proposed dwelling units, open space allowed and proposed, impervious surface allowed and proposed, and building height allowed and proposed.

(g) Photographs of the site and adjacent properties keyed to the site plan.

(h) Additional information as required by the application forms provided by the City or deemed necessary by City staff to consider the application.

Section 38. LSMC Section 14.48.040 entitled “Building Setback Requirements” and Table 14.48-I entitled “Density and Dimensional Standards” are amended by updating lot boundary line and add allowance for eaves into the setback and delete two columns in the table to read as follows:

14.48.040 Building Setback Requirements.

(a) Table 14.48-I sets forth the minimum building and freestanding sign setbacks required from lot lines, ultimate street rights-of-way and street centerlines.

(1) If the ultimate street right-of-way line is readily determinable (by reference to the Comprehensive Plan Transportation Plan, a recorded map, set irons, adopted plan, or other means), the setback shall be measured from the ultimate right-of-way line. If it is not so determinable, the setback shall be measured from the actual street centerline.

(2) As used in this section, the term “lot (~~boundary~~)line, tract or easement” refers to all easements and lot boundaries other than those that abut streets. Setbacks from access easements and access tracts are considered lot (~~boundary~~)line setbacks.

(3) As used in this section, the term “building” includes any substantial structure which by nature of its size, scale, dimensions, bulk, or use tends to constitute a visual obstruction or generate activity similar to that usually associated with a building. It also includes any element that is substantially a part of the building, such as (~~eaves~~,)bay windows and chimneys, and not a mere appendage, such as a flagpole. Without limiting the generality of the foregoing, for the purpose of determining setbacks the following structures are to be considered buildings:

(i) Gas pumps and overhead canopies or roofs;

(ii) Fences and hedges taller than 42 inches.

(4) Eaves and other minor architectural features may project into the required setback up to 18 inches.

(b) Whenever a lot in a residential district abuts a nonresidential district, and its required setback is greater than that of the nonresidential lot, the nonresidentially zoned lot shall observe the more restrictive setback. Where a lot zoned General or Light Industrial shares a boundary with a residentially zoned lot, the setback for the industrial property along that common boundary shall be 30 feet.

(c) In the High Urban Residential District, one five-foot interior side yard setback of a lot may be reduced to a zero feet for portions of the house that shares a common wall with the home on the adjacent lot. Portions of a house which do not share a common wall must be set back a minimum of five feet. The Fire and Building Codes have special building requirements which must be met when setbacks are less than five feet.

(d) All docks and other permissible overwater structures shall be set back pursuant to the Shoreline Master Program, Chapter 4, Section C.3. For the purposes of this section each property line extending into the lake shall be construed as extending at the same angle as the property line on shore.

Table 14.48-I: Density and Dimensional Standards

Zone	Minimum Lot Size		Minimum Residential Densities (Minimum Square Feet per Dwelling Unit)	Minimum Lot Width (ft.)	Building Setback Requirements Minimum Distance, in feet, from: ⁴										Height Limitation (ft.)
	Standard Subdivision	Cluster Subdivision			Nonarterial Street Right-of-Way Line		Nonarterial Street Centerline ^(*) ¹		Ultimate Arterial Street Right-of-Way Line		Lot ((Boundary)) Line, Tract or Easement ³	((Lake (Ordinary High Water Mark)))	((Critical Area Buffer))		
					Building	Freestanding Sign	Building	Freestanding Sign	Building	Freestanding Sign				Building and Freestanding Sign	
Waterfront Residential	9,600 ft ²	7,500 ft ²	9,600 ft ²	50	25	12.5	55	42.5	25	12.5	5	50	40	35	
Suburban Residential ^(**) ²	5 acres/ 9,600 ft ²	5 acres/ 7,500 ft ²	5 acres/ 9,600 ft ²	80	25	12.5	55	42.5	25	12.5	5	50	40	35	
Urban Residential ^(**) ²	5 acres/ 7,500 ft ²	6,000 ft ²	7,500 ft ²	60	20	10	50	40	20	10	5	50	40	35	
High Urban Residential	3,600 ft ²	N/A	3,600 ft ²	40	15	5	45	35	20	5	5	50	40	35	
Multi-Family	3,000 ft ²	N/A	0 ft ²	50	0	0	30	30	10	0	0	50	40	60	

Residential														
Neighborhood Commercial	3,000 ft ²	N/A	0 ft ²	0	0	0	30	30	0	0	0	50	40	35
Mixed Use	3,000 ft ²	N/A	0 ft ²	0	0	0	30	30 ft ²	0	0	0	50	40	60
Local Business	3,000 ft ²	N/A	0 ft ²	0	0	0	30	30	0	0	0	50	40	60
Central Business District	3,000 ft ²	N/A	0 ft ²	0	0	0	30	30	0	0	0	50	40	60
Planned Business District	0 ft ²	N/A	0 ft ²	0	0	0	30	30	0	0	0	50	40	((35)) 40
Sub-Regional Commercial	0 ft ²	N/A	0 ft ²	10	0	0	30	30	0	0	0	50	40	85
Light Industrial	0 ft ²	N/A	N/A	10	0	0	30	30	0	0	0	50	40	85
General Industrial	0 ft ²	N/A	N/A	10	0	0	30	30	0	0	0	50	40	85
Public/Semi-Public	0 ft ²	N/A	N/A	0	0	0	0	0	0	0	0	50	40))	60

((*)¹ See Section [14.48.040\(a\)\(1\)](#) for use of centerline.

((**)² See Section [14.48.100](#) for use of five acres or square feet requirements.

³ Eaves and other minor architectural features may project into the required setback up to 18 inches.

⁴ If property is located on Lake Stevens or Catherine Creek or has wetlands, please refer to the required setbacks in the Shoreline Master Program and Chapter 14.88 Critical Areas.

Section 39. LSMC Section 14.48.050 entitled “Exceptions to Building Setback Requirements” is amended by updating lot boundary line, updating accessory structures area and fence requirements to be consistent with Building Codes to read as follows:

14.48.050 Exceptions to Building Setback Requirements.

(a) The following modifications to the setback requirements identified in Section 14.48.040 shall be allowed:

(1) In the Suburban Residential and Waterfront Residential districts only, where the high point of the roof or any appurtenance of an accessory building exceeds 12 feet in height, the accessory building shall be set back from the rear lot (~~boundary~~)lines, tracts or easements an additional one foot for every foot of height exceeding 12 feet.

(2) In single-family residential zones, accessory structures may be located within the exterior side yard of a corner lot, provided the accessory structure meets the following conditions:

(i) The gross floor area of all accessory structures within the reduced setback area does not exceed 200(~~170~~) square feet.

(ii) The height of the accessory structure does not exceed eight feet.

(iii) The accessory structure is screened to a minimum height of six feet with an opaque fence or densely planted vegetation.

(iv) The accessory structure respects the minimum front yard setback and shall be no closer to the front property line than that of the principal house.

(v) The accessory structure is located no closer than 10 feet to the exterior side property line.

(b) In all single-family residential zones, the building setbacks from the street of the underlying zone may be reduced by five feet for living portions of the principal house only. This reduction does not apply to garages or other nonhabitable areas.

(c) In all single-family residential zones, the setback from a critical area buffer may be reduced to five feet for uncovered decks, provided sufficient room is provided to construct and maintain the deck without disturbing the buffer area.

(d) In all single-family residential zones, unenclosed front porches may be constructed to be as close as 15 feet of the ultimate street right-of-way.

(e) In all residential zones, fences which do not exceed six feet in height may be located along property lines which do not abut a public right-of-way. No fence may exceed 42 inches in height within the front yard setback abutting a public right-of-way or within 10 feet of an exterior side yard right-of-way. On exterior side yards, the area between the fence and sidewalk shall be maintained by the property owner. Where fences are built or hedges are maintained on top of or within five feet of a retaining wall on the uphill side, the retaining wall and fence or hedge shall be measured as one structure for the purposes of determining setback requirements. The height shall be the vertical distance measured from the mean elevation of the finished grade around the perimeter of the retaining wall to the highest point of the hedge or fence.

Section 40. LSMC Section 14.48.070 entitled “Cluster Subdivisions” is amended by removing reference to sections no longer within the code to read as follows:

14.48.070 Cluster Subdivisions.

(a) In any single-family residential subdivision or short subdivision of six lots or more, a developer may create lots that are smaller than those required by Section 14.48.010 if such developer complies with the provisions of this section and if the lots so created are not smaller than the minimums set forth in Table 14.48-I.

(b) The intent of this section is to authorize the developer to decrease lot sizes and leave the land “saved” by so doing as usable open space, thereby lowering development costs and increasing the amenity of the project without increasing the density beyond what would be permissible if the land were subdivided into the size of lots required by Section 14.48.010.

(c) The amount of usable open space that must be set aside shall be determined by:

- (1) Subtracting from the standard square footage requirement set forth in Section [14.48.010](#) the amount of square footage of each lot that is smaller than that standard;
 - (2) Adding together the results obtained in subsection (c)(1) of this section for each lot.
- (d) The provisions of this section may only be used if the usable open space set aside in a subdivision comprises at least 10,000 square feet of space that satisfies the definition of usable open space (~~set forth in Section 14.52.030 and if such usable open space is otherwise in compliance with the provisions of Chapter 14.52~~).
- (e) The setback requirements of Sections [14.48.040](#) and [14.48.050](#) shall apply in cluster subdivisions.

Section 41. LSMC Section 14.56.080 entitled “Street Width, Sidewalk, and Drainage Requirements in Subdivisions” is amended by removing a subsection referring to the EDDS to read as follows:

14.56.080 Street Width, Sidewalk, and Drainage Requirements in Subdivisions.

(a) Streets are intended to serve several functions. These functions vary depending on the classification of the street: (1) to carry motor vehicle traffic, provide on-street parking; (2) to provide for safe and convenient pedestrian and nonmotorized travel; and (3) to aid in managing stormwater. The requirements outlined in this chapter are intended to ensure these objectives are met.

(b) All existing and planned streets which the City deems necessary for the completion of the City’s transportation system are shown and classified in the City’s Transportation Element of the Comprehensive Plan. However, the list of planned streets is nonexhaustive and other streets may be proposed by a permit applicant.

(c) Any permit application shall be reviewed for conformance with the Transportation Plan. If a planned street is shown to run through or adjacent to a property proposed for development, the proposal must include roadway dedication and improvements which are generally in conformance to the plan, and meet the development standards identified in this chapter.

~~((d) All public streets shall be constructed in accordance with the currently adopted version of the Engineering Design and Development Standards for the City of Lake Stevens, except as modifications may be allowed for traffic calming purposes in compliance with the requirements contained in Section [14.56.260](#).)~~

~~(d)((e))~~ Whenever convenient access from a subdivision to adjacent schools, parks or other public facilities is not provided through the dedication and improvement of streets pursuant to this chapter, the developer may be required to include an unobstructed easement of at least 10 feet in width and construct a pathway to provide such access.

Section 42. LSMC Section 14.56.100 entitled “Dead End Streets/Cul-de-Sacs” is amended by specific conditions for cul-de-sacs and removing the landscaping strip to read as follows:

14.56.100 Dead End Streets/Cul-de-Sacs.

(a) Dead-end streets shall be avoided. Cul-de-sacs may be used only when conditions warrant their use:

- (1) Whenever a dead end street serves four or more units, or
- (2) Extends more than 150 feet from edge of the intersecting right-of-way to the farthest extent of the road.

(b) When allowed under subsection (a) of this section, all permanent dead-end streets (as opposed to temporary dead-end streets; see Section 14.56.060(d)) shall be developed as cul-de-sacs in accordance with the standards set forth in subsection (d) of this section.

(c) Except where no other practicable alternative is available, such streets may not extend more than 500 feet (measured to the center of the turnaround).

(d) The right-of-way of a cul-de-sac shall have a radius of 50 feet. The radius of the paved portion of the turnaround (measured to the face of the curb) shall be 40 feet, with curb, gutter, ~~(landscape strip,)~~ sidewalk and utility strip within the remaining 10 feet.

(e) The city will consider the use of alternative turnarounds described in the EDDs on a case by case basis for private tracts and easements.

Section 43. LSMC Section 14.56.130 entitled “Construction Standards and Specifications” is amended rewriting for better clarity to read as follows:

14.56.130 Construction Standards and Specifications.

All public streets, sidewalks, curbs and gutters and other improvements shall be constructed in accordance with the current of the Engineering Design and Development Standards (EDDs) for the City of Lake Stevens. All such facilities shall be completed in accordance with these standards except for deviations as provided for in Section 14.56.135 and modifications allowed for traffic calming purposes in compliance with the requirements contained in Section 14.56.260. In cases where there is a conflict between the EDDS and municipal code, the municipal code shall be the controlling document. ((Construction and design standards and specifications for streets, sidewalks, and curbs and gutters are contained in the currently adopted version of the Engineering Design and Development Standards for the City of Lake Stevens, and all such facilities shall be completed in accordance with these standards except for deviations as provided for in Section ~~14.56.135~~))

Section 44. LSMC Section 14.56.135 entitled “Deviations to Construction Standards and Specifications” is amended by referring specifically to the EDDS to read as follows:

14.56.135 Deviations to Construction Standards and Specifications.

Deviations to the Engineering Design and Development Standards may be granted by the Public Works Director when situations arise where alternatives to the standards may better accommodate existing conditions, overcome adverse topography or allow for more cost-effective solutions without adversely affecting safety, operations, maintenance or aesthetics pursuant to subsection (c) of this section.

(a) Unless otherwise specified in this title, deviations may only be granted for standards and specifications that relate to and implement Sections [14.56.080](#)(d) and (e), Table 14.56-1 (except right-of-way type and standards for state highway), and Sections [14.56.100](#)(b) and (d).

(b) Deviations shall be processed in accordance with the Engineering Design and Development Standards((~~administrative guideline specified in Section [14.04.120](#)(b)(10)~~)).

(c) Requests for deviation shall, at a minimum, comply with the following criteria:

- (1) The deviation will achieve the intended result of the standards with a comparable or superior design and quality of improvement;
- (2) The deviation will not adversely affect safety or operations;
- (3) The deviation will not adversely affect maintenance and related costs;
- (4) The deviation will not adversely affect the environment; and
- (5) The deviation will not adversely affect aesthetic appearance.

(d) An annual report of deviation requests shall be submitted to the City Council.

Section 45. LSMC Section 14.56.160 entitled “Residential Public Streets and Private Roads” is amended by adding allowing specific tracts or roads in multi-family developments to read as follows:

14.56.160 Residential Public Streets and Private Roads.

(a) Except as otherwise provided in this section, all lots created after the effective date of the ordinance codified in this section shall abut a public street at least to the extent necessary to comply with the access requirement set forth in Section [14.56.030](#) (Access to Lots). For purposes of this section, the term “public street” includes a preexisting public street as well as a street created by the subdivider that meets the public street standards of this title and is dedicated for public use. The recordation of a plat shall constitute an offer of dedication of such street.

(b) Private roads shall not be allowed in major subdivided developments.

(c) Private access tracts may only be created through the short plat process and shall provide access for four or fewer dwelling units. Where an existing private access tract is nonconforming with respect to minimum tract width or minimum pavement width, no additional dwelling units may take access off of the tract without bringing it into conformance with this chapter. Where a private access tract is used, and an adjacent property is capable of being short platted with a private access tract, such tracts shall be located in such a way so as to allow them to be combined into one 50-foot right-of-way in the event that the property owners wish to improve and dedicate it as a public street.

(d) Access easements shall provide access to no more than two dwelling units. Where an existing access easement is nonconforming with respect to minimum easement width or minimum pavement width, no additional dwelling units may take access off of the easement without the developer bringing it into conformance with this chapter. Access easements shall be a minimum of 20 feet in width and shall have a minimum paved surface of 10 feet per dwelling unit accessed by that paved section of easement.

(e) Shared driveways shall meet the requirements of minimum total easement width and minimum paved surface width as described in subsection (d) of this section. Because shared driveways have two easements, the total easement width shall include both easements. No shared driveway may provide access to more than two dwelling units.

(f) Private access roads and or tracts will be allowed in multi-family developments with a minimum tract/road width of 30-feet and a minimum paved surface of 24-feet.

Section 46. LSMC Section 14.68.020 entitled "Signs Excluded from Regulation" is amended by adding minor clarification to read as follows:

14.68.020 Signs Excluded From Regulation.

The following signs are exempt from regulation under this title:

(a) Signs not exceeding four square feet in area that are customarily associated with residential use. Examples include names of residents, addresses, no parking, no trespassing, beware of dog and security signs.

(b) Signs erected by or on behalf of or pursuant to the authorization of a city, county, school district, state or federal governmental body, for public purposes including legal notices, identification and informational signs, and traffic, directional, or regulatory signs.

(c) Official signs of a noncommercial nature erected by public utilities.

(d) Flags, pennants, or insignia of any governmental or nonprofit organization when not displayed in connection with a commercial promotion or as an advertising device.

(e) Integral decorative or architectural features of buildings or works of art, so long as such features or works do not contain business identification, trademarks, moving parts, or lights, or are not displayed in connection with a commercial promotion or as an advertising device.

(f) Signs directing and guiding pedestrian and/or automobile traffic on private property that do not exceed four square feet each and that bear no advertising matter.

(g) School and church: bulletin boards, identification signs, and directional signs that do not exceed one per abutting street and 16 square feet in area per side and that are not internally illuminated.

(h) Signs painted on or otherwise permanently attached to currently licensed motor vehicles that are not primarily used as signs.

(i) Signs proclaiming religious, political, or other noncommercial messages that do not exceed one sign per abutting street and 16 square feet in area and that are not internally illuminated.

(j) Names of buildings, commemorative plaques or tablets, and similar noncommercial signs when carved into stone, concrete, or similar material, or made of bronze, aluminum, or other permanent-type construction, made an integral part of the structure, and projecting no more than two inches from the wall (when installed on a building), or at grade (when installed on the ground).

(k) Public information stations such as kiosks, bulletin boards, or similar devices used to convey community information.

Section 47. LSMC Section 14.68.110 entitled “Sign Illumination and Signs Containing Lights” is amended by correcting a code citation to read as follows:

14.68.110 Sign Illumination and Signs Containing Lights.

- (a) No sign within 150 feet of a residential zone may be illuminated between the hours of midnight and 6:00 a.m., unless an opaque screen which effectively blocks view of the sign from the residential zone is located between the residential zone and the sign.
- (b) Lighting directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly into a public right-of-way, adjacent properties, or into the sky.
- (c) Internally illuminated signs are allowed only within Commercial, Industrial and Public/Semi-Public Zone districts. This prohibition does not apply to the following:
 - (1) Signs that do not exceed two square feet in area and that convey the message that a business enterprise is open or closed or that a place of lodging does or does not have a vacancy;
 - (2) Neon signs less than nine square feet and/or mounted to be seen through a window and meeting all other requirements of this chapter;
 - (3) Signs for churches, synagogues and temples (use class 5.200), except that changeable text signs may not be internally illuminated pursuant to Section 14.68.((049))084(b).
- (d) No sign or illuminated tubing or strings of lights may contain flashing or intermittent lights or lights of changing degrees of intensity. This prohibition does not apply to temporary signs erected in connection with the observance of holidays.

Section 48. LSMC Section 14.68.130 entitled “Maintenance of Signs” is amended by correcting a code citation to read as follows:

14.68.130 Maintenance of Signs.

- (a) All signs and structural components shall be kept in a state of good repair.
- (b) If a sign advertises an entity, service, or goods or other activity that is no longer available on the site, that sign shall be considered abandoned and shall, within 30 days after such abandonment, be removed by the sign owner, owner of the property where the sign is located, or other party having control over such sign.
- (c) If the message portion of a sign is removed, leaving only the supporting “shell” of a sign or the supporting braces, anchors, or similar components, the owner of the sign or the owner of the property where the sign is located or other person having control over such sign shall, within 30 days of the removal of the message portion of the sign, either replace the entire message portion of the sign or remove the remaining components of the sign. This subsection shall not be construed to alter the effect of Section 14.68.((075))150(c), which prohibits the replacement of a nonconforming sign, nor shall this subsection be construed to prevent the changing of the message of a sign.

Section 49. LSMC Section 14.76.090 entitled “Additional Screening Requirements” is amended by including a state route that was brought into the City by annexation to read as follows:

14.76.090 Additional Screening Requirements.

- (a) Due to the potential for adverse impacts between the following noncompatible uses, a 30-foot wide landscaped screen shall be maintained between State Route 204, State Route 92 and/or State Route 9 and all residential and industrial uses.
- (b) The screen shall have a height of at least 30 feet at maturity. It is intended to exclude all visual and noise contact between uses in all seasons of the year. The use of existing significant trees which are not prone to windthrow within the screen is strongly encouraged.
- (c) The Planning Director may approve reduced buffer widths to prevent denial of all reasonable use of property.

Section 50. LSMC Section 14.76.120 entitled “Retention and Protection of Large Trees” is amended to correct reference to Planning Department to read as follows:

14.76.120 Retention and Protection of Large Trees.

(a) Every development shall retain all existing significant trees and significant stands of trees unless the retention of such trees would unreasonably burden the development or in the opinion of the planning director cause a significant safety problem. The applicant for a land use permit or preliminary subdivision approval shall, with the application, submit an assessment prepared by a certified arborist, which makes recommendations for protection of trees consistent with this chapter.

(b) The retention of significant trees and significant stands of trees unreasonably burdens a development if the desired location of improvements on a lot or the proposed activities on a lot would have to be substantially altered and such alteration would work an unreasonable hardship upon the developer.

(c) Where significant trees and significant stands of trees are removed because their retention would unreasonably burden a development, a tree survey shall be provided, showing size, type, and location of all significant trees and stands of trees. Prior to removal, the developer shall coordinate with the City which trees are to be protected.

(d) Any unprotected significant trees removed shall be replaced with one-gallon-sized native species at a ratio of 3:1. During plat and home construction the developer shall provide adequate protection of retained and replacement trees from damage.

(e) If it is physically impractical to replant all replacement trees on-site, then the applicant shall mitigate the loss of trees by either planting trees on public property within the City as approved by the planning director, and/or paying a mitigation fee into the City’s tree mitigation in-lieu fund. This fee shall be set forth in the City’s fee resolution, and equal the cost of purchasing and planting the trees.

(f) Prior to any clearing activities, the city shall map and inventory all trees identified for protection. If any of the protected trees are removed or damaged to the extent that their ability to survive is seriously threatened, without the City’s prior written consent, the loss shall be remedied pursuant to Section [14.28.040\(c\)](#).

(g) Replacement trees approved to be installed on public property shall be planted prior to recordation of a final plat, or issuance of a building permit, whichever comes first.

(h) Replacement trees approved to be installed on residential lots shall be planted prior to issuance of a certificate of occupancy for that lot.

(i) If space that would otherwise be devoted to parking cannot be so used because of the requirements of subsections (a) or (b) of this section, and, as a result, the parking requirements set forth in Chapter [14.72](#) cannot be satisfied, the number of required spaces may be reduced by the number of spaces lost because of the provisions of subsections (a) and (b) of this section, up to a maximum of 15 percent of the required spaces.

(j) Whenever construction, clearing or grading activities occur on a site in which trees are required to be protected pursuant to this title, the following measures shall be taken to ensure said protection:

(1) Prior to commencing any site work, the applicant shall submit a plan to the Department of Planning and Community Development which identifies types and locations of barriers that will be placed around protected trees to aid in the avoidance of accidental damage to the trees. No site work will commence prior to the City inspecting and approving the location and installation of the barriers.

(2) No fill, excavation or other subsurface disturbance, operating, stacking or storing of equipment, or compacting of earth may be undertaken within the drip line of any of the protected trees, and no impervious surface may be located within 12 1/2 feet (measured from the center of the trunk) of any tree 18 inches in diameter or more. A drip line is defined as a perimeter formed by the points farthest away from the trunk of a tree where precipitation falling from the branches of that tree lands on the ground.

(3) Where vehicular/equipment access is required within the drip line of a tree, the soil, and incidentally the tree’s roots, shall be protected with 10 inches of woodchips and/or plywood placed over the path of the vehicle to limit soil compaction and subsequent root damage. Before any vehicles may travel through the protected area, the developer shall

submit an affidavit from a certified arborist that that measures installed are sufficient to protect the tree(s) in question.

(4) Stumps of trees to be removed within one-half of the radius of the critical root zone (CRZ), which is defined as CRZ equals one foot radius for every one inch of the tree's diameter, shall not be excavated but may be ground down to below the ground surface.

(5) Unwanted vegetation within the CRZ of a protected tree shall be removed by hand.

(6) Backfilling into a CRZ of a protected trees shall be done only with the written approval of a certified arborist. Only well drained soil with sufficient air space (sandy soils) are permitted.

(7) Upon completion of site clearing, protected trees may be pruned for deadwood, low hanging limbs and proper balance under the supervision of a certified arborist. Trees may be cabled and braced as recommended by the arborist.

Section 51. LSMC Section 14.88.010 entitled "Purpose and Intent" is amended by correcting reference to critical areas to read follows:

14.88.010 Purpose and Intent.

The purpose of this chapter is to designate, classify, and protect the critical areas of the Lake Stevens community by establishing regulations and standards for development and use of properties which contain or adjoin critical areas for protection of the public health, safety, and welfare. The purpose and intent of this chapter is also to ensure that there is no net loss of the acreage or functions and values of critical areas regulated by this chapter.

(a) A project proponent shall make all reasonable efforts to avoid and minimize impacts to critical areas and buffers in the following sequential order of preference:

(1) Avoiding impacts altogether by not taking a certain action or parts of an action;
or

(2) When avoidance is not possible, minimizing impacts by limiting the degree or magnitude of the action and its implementation, using appropriate technology, or by taking affirmative steps, such as project redesign, relocations, or timing, to avoid or reduce impacts and mitigating for the affected functions and values of the critical area; and

(3) Reducing or eliminating impacts over time by preservation and maintenance operations during the life of the action.

(4) Compensating for unavoidable impacts by replacing, enhancing or providing substitute resources or environments.

(b) Protect the public from personal injury, loss of life, or property damage due to flooding, erosion, landslides, seismic events, or soil subsidence.

(c) Protect against publicly financed expenditures due to the misuse of critical areas which cause:

(1) Unnecessary maintenance and replacement of public facilities;
(2) Publicly funded mitigation of avoidable impacts;
(3) Cost for public emergency rescue and relief operations where the causes are avoidable;

(4) Degradation of the natural environment.

(d) Protect aquatic resources.

(e) Protect unique, fragile, and valuable elements of the environment, including wildlife and its habitat.

(f) Alert appraisers, assessors, owners, potential buyers, or lessees to the development limitations of critical(~~environmentally sensitive~~) areas.

(g) Provide City officials with sufficient information to adequately protect critical areas when approving, conditioning, or denying public or private development proposals.

(h) Give guidance to the development of Comprehensive Plan policies in regard to the natural systems and environment of the Lake Stevens Watershed.

(i) Provide property owners and developers with succinct information regarding the City's requirements for property development.

Section 52. LSMC Section 14.88.310 entitled “Demonstration of Denial of All Reasonable Economic Uses” is amended by correcting reference to critical areas to read follows:

14.88.310 Demonstration of Denial of All Reasonable Economic Uses.

In order to conduct a regulated activity in a critical area where the applicant is claiming that denial of authorization of such an activity would deny all reasonable economic uses of the property, the applicant must demonstrate that such is the case. If a regulated activity is allowed within a critical area it must minimize impacts per the “requirements” sections, below. If the Planning and Community Development Director determines that alteration of a critical area is necessary and unavoidable, written findings addressing each of the items listed in this subsection shall be placed in the official project file. Demonstration of denial of all reasonable economic uses shall be accomplished as follows:

(a) An applicant must demonstrate that denial of the permit would impose an extraordinary hardship on the part of the applicant brought about by circumstances peculiar to the subject property.

(b) For water-dependent activities, unavoidable and necessary impact can be demonstrated where there are no practicable alternatives which would not involve a wetland or which would not have less adverse impact on a wetland, and would not have other significant adverse environmental consequences.

(c) Where nonwater-dependent activities are proposed, it shall be presumed that adverse impacts are avoidable. This presumption may be rebutted upon a demonstration that:

(1) The basic project purpose cannot reasonably be accomplished utilizing one or more other sites in the general region that would avoid, or result in less, adverse impact on regulated ~~((environmentally sensitive))critical~~ areas; and

(2) A reduction in the size, scope, configuration, or density of the project as proposed and all alternative designs of the project as proposed that would avoid, or result in less, adverse impact on an ~~((environmentally sensitive))critical~~ area or its buffer will not accomplish the basic purpose of the project; and

(3) In cases where the applicant has rejected alternatives to the project as proposed due to constraints such as zoning, deficiencies of infrastructure, or parcel size, the applicant has made reasonable attempt to remove or accommodate such constraints.

Section 53. LSMC Section 14.88.320 entitled “Allowance of Regulated Use in a Critical Area Where Denial of All Economic Use is Demonstrated” is amended by correcting reference to critical areas to read follows:

14.88.320 Allowance of Regulated Use in a Critical Area Where Denial of All Economic Use is Demonstrated.

If an applicant for an activity or development proposal demonstrates to the satisfaction of the Planning and Community Development Director that application of these standards would deny all reasonable economic use of the property as provided by Section [14.88.220](#), development, as may be conditioned, shall be allowed if the applicant also demonstrates all of the following to the satisfaction of the Director:

(a) If proposed in a wetland, stream, creek, river, lake or other surface water, that the proposed project is water-dependent or requires access to the wetland as a central element of its basic function; or

(b) If proposed in a critical area not listed in subsection (a) of this section, that it is not water-dependent but has no practicable alternative; and

(c) That no reasonable use with less impact on the critical area and its buffer is possible (e.g., agriculture, aquaculture, transfer or sale of development rights or credits, sale of open space easements, etc.);

(d) That there is no feasible on-site alternative to the proposed activities, including reduction in density, phasing of project implementation, change in timing of activities, revision of road and lot layout, and/or related site planning considerations, that would allow a reasonable economic use with less adverse impacts to the critical area and its buffer;

- (e) That the proposed activities will result in minimum feasible alteration or impairment to the functional characteristics of the critical area and its existing contours, vegetation, fish and wildlife resources, hydrological, and geologic conditions;
- (f) That disturbance of the critical area has been minimized by locating any necessary alteration in buffers to the extent possible;
- (g) That the proposed activities will not jeopardize the continued existence of endangered, threatened, or sensitive species as listed by the Federal Government or the State of Washington. An applicant is required to confirm with the State of Washington that special conditions or recommendations are not required for candidate or monitor species;
- (h) That the proposed activities will not cause significant degradation of groundwater or surface water quality;
- (i) That the proposed activities comply with all State, local and Federal laws, including those related to sediment control, pollution control, floodplain restrictions, and on-site wastewater disposal;
- (j) That any and all alterations to ~~((environmentally sensitive))~~ critical areas and their buffers will be adequately mitigated;
- (k) That there will be no damage to nearby public or private property and no threat to the health or safety of people on or off the property;
- (l) That the inability to derive reasonable economic use of the property is not the result of actions by the applicant in segregating or dividing the property and creating the undevelopable condition after the effective date of this chapter; and
- (m) That deliberate measures have been taken to minimize the impacts. Minimizing impacts shall include but not be limited to:
 - (1) Limiting the degree or magnitude of the prohibited activity;
 - (2) Limiting the implementation of the prohibited activity;
 - (3) Using appropriate and best available technology;
 - (4) Taking affirmative steps to avoid or reduce impacts;
 - (5) Sensitive site design and siting of facilities and construction staging areas away from critical areas and their buffers;
 - (6) Involving resource agencies early in site planning;
 - (7) Providing protective measures such as siltation curtains, hay bales and other siltation prevention measures; and
 - (8) Scheduling the prohibited activity to avoid interference with wildlife and fisheries rearing, resting, nesting or spawning activities.

Section 54. LSMC Section 14.88.400 entitled “Classification” is amended to correct a code citation to read follows:

14.88.400 Classification.

Fish and wildlife conservation areas include:

- (a) Lands containing priority habitats and species, including plant and/or animal species listed on Federal or State threatened or endangered species lists.
- (b) Naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish or wildlife habitat. These do not include ponds deliberately designed and created from dry sites such as canals, detention facilities, waste-water treatment facilities, farm ponds, temporary construction ponds (of less than three years duration), and landscape amenities. However, naturally occurring ponds may include those artificial ponds intentionally created from dry areas in order to mitigate conversion of ponds, if permitted by a regulatory authority.
- (c) Waters of the State, as defined in WAC Title [222](#), Forest Practices Rules and Regulations. Waters of the State shall be classified using the system in WAC [222-16-030](#). In classifying waters of the State as fish and wildlife habitats the following shall be used:
 - (1) Species are present which are endangered, threatened or sensitive;
 - (2) Existing surrounding land uses are incompatible with salmonid and other game fish habitat;
 - (3) Presence and size of riparian ecosystem;
 - (4) Existing water rights.

(d) Lakes, ponds, and streams planted with game fish (defined at RCW ~~77.009~~08.020), including those planted under the auspices of Federal, State, local, or tribal programs, or which support priority fish species as identified by the Department of Fish and Wildlife.

(e) State natural area preserves and natural resource conservation areas.

(f) Habitats or species of local importance. Such habitats or species may be locally listed per the process elucidated in Section 14.88.415.

(g) Streams shall be classified according to the stream type system as provided in WAC 222-16-030, Stream Classification System, as amended.

(1) Type S Stream. Those streams, within their ordinary high water mark, as inventoried as shorelines of the State under Chapter 90.58 RCW and the rules promulgated pursuant thereto.

(2) Type F Stream. Those stream segments within the ordinary high water mark that are not Type S streams, and which are demonstrated or provisionally presumed to be used by fish. Stream segments which have a width of two feet or greater at the ordinary high water mark and have a gradient of 16 percent or less for basins less than or equal to 50 acres in size, or have a gradient of 20 percent or less for basins greater than 50 acres in size, are provisionally presumed to be used by fish. A provisional presumption of fish use may be refuted at the discretion of the Planning and Community Development Director where any of the following conditions are met:

(i) It is demonstrated to the satisfaction of the City that the stream segment in question is upstream of a complete, permanent, natural fish passage barrier, above which no stream section exhibits perennial flow;

(ii) It is demonstrated to the satisfaction of the City that the stream segment in question has confirmed, long-term, naturally occurring water quality parameters incapable of supporting fish;

(iii) Sufficient information about a geomorphic region is available to support a departure from the characteristics described above for the presumption of fish use, as determined in consultation with the Washington Department of Fish and Wildlife, the Department of Ecology, affected tribes, or others;

(iv) The Washington Department of Fish and Wildlife has issued a hydraulic project approval, pursuant to RCW 77.55.100, which includes a determination that the stream segment in question is not used by fish;

(v) No fish are discovered in the stream segment in question during a stream survey conducted according to the protocol provided in the Washington Forest Practices Board Manual, Section 13, Guidelines for Determining Fish Use for the Purpose of Typing waters under WAC 222-16-031; provided, that no unnatural fish passage barriers have been present downstream of said stream segment over a period of at least two years.

(3) Type Np Stream. Those stream segments within the ordinary high water mark that are perennial and are not Type S or Type F streams. However, for the purpose of classification, Type Np streams include intermittent dry portions of the channel below the uppermost point of perennial flow. If the uppermost point of perennial flow cannot be identified with simple, nontechnical observations (see Washington Forest Practices Board Manual, Section 23), then said point shall be determined by a qualified professional selected or approved by the City.

(4) Type Ns Stream. Those stream segments within the ordinary high water mark that are not Type S, Type F, or Type Np streams. These include seasonal streams in which surface flow is not present for at least some portion of a year of normal rainfall that are not located downstream from any Type Np stream segment.

Section 55. LSMC Section 14.88.930 entitled "Designation Process" is amended to correct a code citation to read follows:

14.88.930 Designation Process.

(a) Critical area sending or receiving districts are considered overlay zones allowed per Section 14.~~(36.079)~~88.920, Qualifications for designation of land as a Critical Area Sending and Receiving Districts. Designation as a critical area sending or receiving district is the

equivalent of a rezone and shall be accomplished by the same process, as specified in Section 14.16C.090.

(b) Underlying land use and zoning designations may be changed by the legislative authority granted to the City through its normal Comprehensive Plan amendment or rezoning procedures. However, the land will retain the critical area sending district designation until that designation is specifically removed.

(c) Land designated as a critical area sending or receiving district shall be shown as an overlay district on the Official Zoning Map. The map shall be modified upon each designation or revocation.

(d) Designation or revocation as a critical area sending or receiving district shall be recorded with the Snohomish County Recorder's Office and shall run with the land.

Section 56. LSMC Section 14.110.120 entitled "Appeals" is amended to correct a code citation to read follows:

14.110.120 Appeals.

Appeals of requirements imposed pursuant to the chapter shall be governed by the appeal provisions of Chapter 14.16A.265(~~20~~).

Section 57. The Official Zoning Map is hereby corrected by amending the boundaries for the land use designation of "P/SP" on Parcel No. 29061900302700 (XXXXX 20th Street SE, Lake Stevens) and land use designation of "MU" on Parcel No. 29061900301200 (10227 20th Street SE, Lake Stevens) due to equal acreage of dedication and vacation changing boundaries only and not changing total acreage in each designation and set forth and incorporated in **Exhibit A**. The boundary change is a map correction and does not require a site-specific rezone.

Section 58. Severability. If any section, clause, phrase, or term of this ordinance is held for any reason to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance, and the remaining portions shall be in full force and effect.

Section 59. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five days after the date of publication.

PASSED by the City Council of the City of Lake Stevens this ____ day of December, 2013.

Vern Little, Mayor

ATTEST/AUTHENTICATION:

Norma J. Scott, City Clerk/Admin Asst

APPROVED AS TO FORM:

Grant K. Weed, City Attorney

First and Final Reading:

Published:

Effective Date:

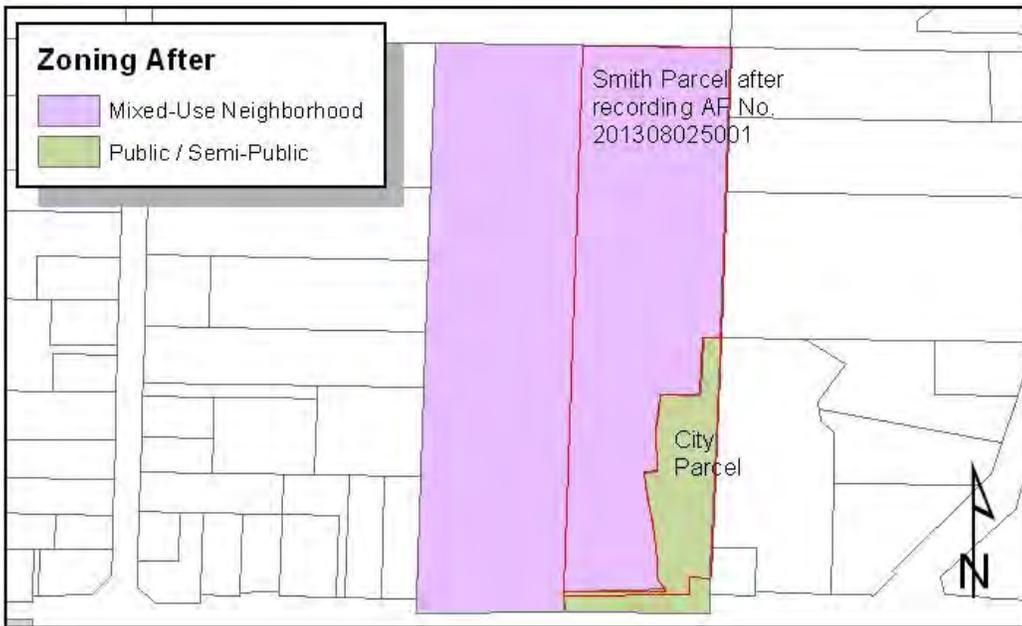
EXHIBIT A

**ZONING MAP CORRECTION FOR PARCELS NO.
29061900302700 AND 29061900301200**

**AND
RECORD OF SURVEY**



D. Smith / City of Lake Stevens Map Correction





October 30, 2013

Lake Stevens Planning Commission
Lake Stevens City Council
1812 Main Street
Lake Stevens, WA 98258

Subject: Recommendation of Parks, and Recreation, & Open Space Element (LUA2013-008)

Dear Planning Commissioner and Council Members:

The Lake Stevens Park & Recreation Planning Board recommends that the Planning Commission and City Council incorporate the revised Parks, and Recreation, & Open Space Element of the Comprehensive Plan. The Parks, Recreation and Open Space Element of the Comprehensive Plan "Park Plan" establishes specific goals and policies that will help guide decision-making related to acquisition, development and improvement of facilities and lands. The Park Plan contains an inventory of the City's current parks, recreation facilities and open spaces; analyzes the City's ability to provide adequate parks, open space, and recreation services; sets service standards and guidelines; and identifies implementation strategies.

Commissioners Present: Adams, Jones, Johnson, Kelley, Schollenberger, Van Wyck

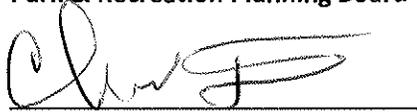
Commissioners Absent: Sweet, Schollenberger

PARK & RECREATION PLANNING BOARD RECOMMENDATION

MOTION / RECOMMENDATION: Forward a recommendation to the Lake Stevens Planning Commission and City Council to incorporate the revised Parks, and Recreation, & Open Space Element into the Comprehensive Plan, as part of the 2013 Docket.

Respectfully submitted,

Park & Recreation Planning Board


_____, Chair
Chris Jones


_____, Vice Chair
Leland Adams



November 6, 2013

Council President John Spencer
Lake Stevens City Council
1812 Main Street
Lake Stevens, WA 98258

**SUBJECT: PLANNING COMMISSION RECOMMENDATION
2013 Comprehensive Plan Amendments and Code Housekeeping
Amendments (LUA2013-0008)**

Dear Council President Spencer and Council Members:

The Lake Stevens Planning Commission held a public hearing on Wednesday, November 6, 2013 to consider one land use map correction and seven chapter text amendments and Code Housekeeping amendments including a zoning map correction as part of the yearly docket cycle.

Commissioners in attendance were Chair Janice Huxford, Vice-Chair Gary Petershagen, and Commissioners Linda Hoult, Sammie Thurber, Pamela Barnet, and Tom Matlack. Commissioner Jennifer Davis was absent.

Planning and Community Development staff presented the proposed map correction and seven text amendments, including the Park Board recommended Parks Element, and code housekeeping amendments. Staff answered the Commission's questions. Staff presented an overview of criteria required to be met for a comprehensive plan amendments and code amendments to be granted. In addition, staff identified a few modifications to the Park element and two code housekeeping revisions. No public testimony was given. Commissioners discussed the amendments.

PLANNING COMMISSION RECOMMENDATION

MOTION – Commissioner Hoult made a motion, seconded by Commissioner Thurber to recommend to Council approval of one map correction and seven Comprehensive Plan text amendments as presented by staff; motion carried unanimously (6-0-0-1).

MOTION – Commissioner Hoult made a motion, seconded by Commissioner Barnet to recommend to Council approval of Code Housekeeping amendments as presented by staff; motion carried unanimously (6-0-0-1).

Respectfully submitted,

Lake Stevens Planning Commission


Janice Huxford, Chair


Sammie Thurber, Vice-Chair
Gary Petershagen



STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

October 3, 2013

Karen Watkins
Principal Planner
City of Lake Stevens

Lake Stevens, WA 98258
Post Office Box 257
Lake Stevens, Washington 98258

Dear Ms. Watkins:

Thank you for sending the Washington State Department of Commerce (Commerce) the following materials as required under RCW 36.70A.106. Please keep this letter as documentation that you have met this procedural requirement.

City of Lake Stevens - Minor amendments and updates related to the 2013 Docket. Proposed amendments related to the Downtown Framework Plan may not be ready for inclusion with the 2013 Docket. These materials were received on October 01, 2013 and processed with the Material ID # 19600.

We have forwarded a copy of this notice to other state agencies.

If this submitted material is an adopted amendment, then please keep this letter as documentation that you have met the procedural requirement under RCW 36.70A.106.

If you have submitted this material as a draft amendment, then final adoption may occur no earlier than sixty days following the date of receipt by Commerce. Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call Dave Andersen (509) 434-4491 or Paul Johnson (360) 725-3048.

Sincerely,

Review Team
Growth Management Services



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LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: 25 Nov 2013

Subject: Adoption of Schedule of Land Use Fees under Resolution No. 2013-13

Contact Mick Monken **Budget Impact:** NA
Person/Department: Public Works

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: **Approve the Schedule of Land Use Fees and authorize the Mayor to sign Resolution No. 2013-13 adopting said Deviation Request Fees**

SUMMARY/BACKGROUND: An update for the Schedule of Land Use Fees was presented to the Council at the 14th October 2013 meeting. At that meeting, changes were proposed to the fees that included: 1) fees under Construction Plan Approval (development review of site improvements); and 2) EDDS Deviation Requests (applicant requested change to the City's Standards). The Council approved the Construction Plan Approval fee changes (under Resolution 2013-12) but asked that a new proposal be presented for the EDDS Deviation Request fee that had a fix base fee plus an hourly charge for time exceeding time covered under the fix base fee.

Staff is proposing a change to the EDDS Deviation Request in the Schedule of Land Use Fees to ensure that actual costs are covered under the fee. The existing fee for a deviation is \$100 flat. The proposal is to have a minimum fee of \$150 for the first 2 hours of review and \$75/hr for the process time exceeding the initial 2 hours. The reasoning for this is that a simple review and processing typically takes 2 hours. This includes both the planning and engineering staff members to review and provide a formal response. However, more complex requests can exceed this timeframe and current fee limitations require the City to cover this cost internally.

Under the proposed Deviation Request fee structure, an applicant will be charged a base fee of \$150 (\$75/hr * 2 hrs) and staff will track review and processing time. Any time exceeding the base 2 hours would be invoice to the applicant.

APPLICABLE CITY POLICIES:

BUDGET IMPACT: NA

ATTACHMENTS:

- ▶ Exhibit A: Resolution 2013-13 - Schedule of Land Use Fees

EXHIBIT A
CITY OF LAKE STEVENS
Lake Stevens, Washington

RESOLUTION NO. 2013-13

A RESOLUTION REPEALING RESOLUTION NO. 2013-12 AND ADOPTING AMOUNTS FOR THE RATES, FEES, AND DEPOSITS FOR VARIOUS SERVICES PROVIDED AND ACTIONS PERFORMED BY THE CITY AND FINES LEVIED AGAINST CODE VIOLATORS, TO INCLUDE NEW LAND USE FEES FOR SERVICES ACTIONS OR PERMITS

WHEREAS, the City Council, through ordinance, has adopted regulations requiring certain actions and services; and,

WHEREAS, these various ordinances set forth that fees shall be set by resolution, and;

WHEREAS, the cost of providing these various services consistent with applicable codes, regulations, and policies periodically increase or decrease, or certain services or practices are discontinued and fees are no longer needed; and,

WHEREAS, it is the intent of the City of Lake Stevens to charge appropriate fees and charges that are consistent with the services provided and to cover the public cost of providing these various services so that the public is not subsidizing individual benefits derived therefrom;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE STEVENS AS FOLLOWS: Resolution No. 2013-12 is hereby repealed and the following rates, fees, and deposits for various services provided and actions performed by the city and fines levied against code violators are hereby adopted:

Section 1. Fees and Deposits-General.

- A. **Fees.** Fees are intended to cover the normal, recurring administrative costs associated with said action, such as secretarial staff time, advertising, mailings, file distribution, etc. and project review. Fees are non-refundable. The applicant is responsible for costs incurred for any portion of project/permit reviewed by a consultant hired by the City for such review.
- B. **Payment Due.** Fees and deposits are due at the time the action is requested (e.g., at time of application) or occurs (e.g., prior to a specific action). An applicant may pay all fees and deposits of a multi-phased project in advance; however, doing so does not vest applicable fees due. Fees due are those in effect at the time the specific action or phase of an action is requested or occurs.
- C. **Late Payment Penalties.** If payment is not received within 30 days of the due date specified on the invoice, the amount due shall accrue interest at the rate of 1.5 percent per month, with a maximum monthly interest accrual of \$20.00, from the date the fee became due and the date payment is actually made.
- D. **Waivers.** Upon petition by the applicant, the City Council may waive any of the fees or portions thereof, for any non-profit organization that provide services for the necessary support of the poor or infirm.
- E. **Concurrent Applications.** Concurrent applications requiring land use fees established by this resolution shall be subject to each fee cumulatively as if reviewed separately. There shall be no reduction in fees where more than one type of fee is charged for a project.

Section 2. Land Use Fees. Fees for various services, actions, and permits regarding land use, as per LSMC Title 14 and 16, shall be as listed in Table A. Land Use fees are in addition to Building Permit fees. Attorney fees may be recovered for specific projects. (Note: "X.XX" number refers to Use Category from Title 14 Table of Permissible Uses.)

Table A: Schedule of Land Use Fees

Action/Permit/Determination	Fee (\$)
ADMINISTRATIVE APPROVALS/DETERMINATIONS – TYPE I REVIEW	
Administrative Modifications	450
Adult Family Home	325
Boundary Line Adjustments	1,000
Changes of Use	750
Code Interpretations	150
Floodplain Development Permit when no Shoreline Exemption is required_(may also require SEPA and critical area review fees)	150
Grading Permits (less than or equal to 100 cubic yards)	375
Home Occupations	Reviewed as part of business license
Lot Line Consolidation	500
Pasture/Waste Management Plan (LSMC 5.18.040) Plan Review Fee	75
Subsequent Plan Modification Review	75/hour
Reasonable Use Exceptions	200+critical areas review
Temporary Use	
Temporary Residence (1.700)	125
Temporary Mobile/Modular Public Structures (15.500) in any zone	100
Temporary Structures (23.000)	200
ADMINISTRATIVE CONDITIONAL USE PERMITS (formerly Special Use Permits) (Grading > 100 cubic yards)	
Basic Review & administrative decision	1,000
If hearing called for in addition to previous costs)	Hearing Examiner cost
ANNEXATIONS	
Submission of 10% Petition	0
Submission of 60% Petition	0
If it goes to BRB hearing	0
	Applicant pays actual cost charged City plus 35 Administrative fee
ATTORNEY FEES	
APPEALS PER TITLE 14	
To City Council	350
To Hearing Examiner	350+Hearing Examiner cost
To Shoreline Hearings Board	75/hr
BINDING SITE PLANS	
Revision	1,000
BUOY OR MARKER PERMIT (PRIVATE) (Per LSMC 10.16.070)	
Initial Application Review	105
Private buoy or marker permit (annual) (LSMC 10.16.070)	75
CODE ENFORCEMENT – NOTICE OF VIOLATION (Per Ch. 17.20 LSMC)	
Filing Fee to Request Contested Hearing	350
Filing Fee to Request Mitigation Hearing	350
Hearing Examiner Hearing (except for initial open record hearing per LSMC)	Hearing Examiner cost

Action/Permit/Determination	Fee (\$)
17.20.080(d)	
COMPREHENSIVE PLAN AMENDMENTS (including area-wide-rezones)	
Minor Amendment (annual cycle)	2,400
Major Amendment (5-year cycle)	3,500
CONDITIONAL USE PERMITS	3,500+ Hearing Examiner cost
CONSTRUCTION PLAN APPROVAL	
Residential developments 1-9 units	1,500 + 100 per lot for first two reviews + each additional review will be charged either: a) 75 per hour staff time; or b) Consultant fees (see below) As determined by the appropriate Department Director
Residential developments 10 or more units	1,500 + 150 per lot for first two reviews + each additional review will be charged either: a) 75 per hour staff time; or b) Consultant fees (see below) As determined by the appropriate Department Director
Commercial and/or non-residential developments	2,000 for first two reviews + each additional review will be charged either: a) 75 per hour staff time; or b) Consultant fees (see below) As determined by the appropriate Department Director
CONSULTANT FEES (when applicable)	Applicant pays actual cost charged City plus 35 Administrative fee
CRITICAL AREA REVIEW	Applicant pays actual cost charged City plus 35 Administrative fee
DESIGN REVIEW	
Design Review – Administrative Decision	450
Design Review - without other permit – Design Review Board	750
Design Review – with other permit – Design Review Board	300
DEVELOPMENT AGREEMENT	1,400
EDDS DEVIATION REQUEST	100 150 for first two hours + 75 per hour for each additional hour of staff time
ESSENTIAL PUBLIC FACILITIES (in addition to conditional use permit fees)	

Action/Permit/Determination	Fee (\$)
Essential Public Facility	Public participation costs (e.g., mailings, noticing, room rental) +consultant fees +attorney fees
Secure Community Transition Facility	Public participation costs (e.g., mailings, noticing, room rental) +consultant fees +attorney fees
EVENT PERMITS	
Event Level 1	75
Event Level 2	225
Event Level 3	300
Event Level 4	1,050
Event Level 4 Deposit	80% of City estimated cost for City services
Event Expedited Review Fee	100
Boat Launch Closure	100/day
Recycle Containers	10/unit deposit 35/unit replacement fee for unreturned or damaged units
FIREWORKS PERMITS	
Fireworks Display	250
Fire Works Stand	100
IMPACT FEES	
Park Mitigation	
Single Family Residence and Apartments with 3+ bedrooms	2,363/dwelling
Duplex and Apartments with 2 bedrooms	1,733/dwelling
Apartments with 0-1 bedrooms	1,103/dwelling
School Mitigation	
Detached Single Family Residence	4,692/dwelling
Duplex/Apartment/Townhouse with 2 or more bedrooms	2,915/dwelling
Duplex/Apartment/Townhouse with 1 or fewer bedrooms	0
Traffic Mitigation	
Traffic Impact Zone 1	2,039/PM Peak Hour Trip
Traffic Impact Zones 2 & 3	2,917/PM Peak Hour Trip
LAND USE CODE AMENDMENTS	3,000
MISCELLANEOUS ACTIONS/ITEMS	
Permit Extension	150
Public Notice Signs Rental Fee	50
Security Administration Fee, per each security	100
Sign Non-Return Charge – If not returned within 7 days of permit approval	10/sign
Tree Replacement Fee In-Lieu (per LSMC 14.76.120(e))	Equal to cost of purchasing & planting trees as per applicant submitted report prepared by certified arborist or landscape designer/contractor
MISCELLANEOUS TASKS	
Miscellaneous Engineering Review (e.g., storm drainage plans for Single-Family Residential & Duplexes, drainage studies, etc.)	75/hr
Miscellaneous Research or other staff time	75/hr
PARK PERMITS	
Park Permit without Picnic Shelter	35
Park Permit is included if Picnic Shelter is rented	0

PLANNED NEIGHBORHOOD DEVELOPMENTS	3,500+Hearing Examiner cost
PRE-APPLICATION CONFERENCE FEE (\$400 credited toward application fee over \$1,000 upon submittal of said application if received within 12 months from date of pre-application conference.)	
Without Consultant Review	400
With Requested Consultant Review (e.g., critical areas consultant, etc.)	400+Consultant fees
RECONSIDERATION OF DECISION by:	
Planning Director	200
Design Review Board	200
City Council	200
Hearing Examiner	100+Hearing Examiner cost
RECORDING FEES	At cost (paid directly to Snohomish County)
REZONES - ZONING MAP AMENDMENTS	
Rezone Minor	500+Hearing Examiner cost
Rezone Major	1,000+Hearing Examiner cost
Area-wide Rezones	See Comprehensive Plan Amendments fee
Action/Permit/Determination	Fee (\$)
RIGHT-OF-WAY	
Right-of-Way Permit	
Individual Residential (outside roadway improvements)	50
All Others	200
Right-of-Way Vacation	1,000
Road Cuts (required only for pavement cuts where roadway overlay is not required by City)	2 per square foot
SEPA REVIEW (does not include critical areas review, which is a separate fee)	
Planned Action Project Certification Review including SEPA Checklist	750
Review of SEPA Checklist	750
Review of requested studies	75/study per hour 2 hour minimum
Review of requested traffic studies	75 per hour 2 hour minimum
Review of requested drainage studies	75 per hour 2 hour minimum
Environmental Impact Statement (EIS)	75 per hour 10 hour minimum
Addendum	300
SEPA Appeals (to Hearing Examiner)	150+Hearing Examiner cost
SHORELINE PERMITS (may also require SEPA and critical area review fees)	
Shoreline Conditional Use	1,500+Hearing Examiner cost
Shoreline Exemption	200
Shoreline Exemption with Floodplain Development Permit	300
Shoreline Substantial Development	+Hearing Examiner if requested by public
Related to Single Family Residence	500
Related to Multifamily Residence or Commercial Property	1,500
Related to Subdivision	2,000
Other	2,500
Shoreline Variance	1,500+Hearing Examiner
SIGN PERMITS	
Sign Permit	150+50/sign
Master Sign Program Permit	450

SUBDIVISIONS (1-9 lots – Short Plat; more than 9 lots – Plat)	
Preliminary Short Plat	4,320
Final Short Plat	765
Short Plat Alteration	1,225
Short Plat Vacation	1,225
Preliminary Plat	10,030
Final Plat	1,565 + 100 per lot or unit + Survey Consultant Review cost
Plat Alteration	1,600
Plat Vacation	1,600
Street Signs (per Manual on Uniform Traffic Control Devices)	Purchased & installed by applicant per code & consistent with MUTCD
VARIANCE (Hearing Examiner review)	1,100+Hearing Examiner cost
ZONING CERTIFICATION LETTER	150

Section 3. Building Permit Fees. (Land Use fees, if required, are in addition to Building Permit fees.)

- A. Washington State Building Codes Adopted. The City of Lake Stevens does hereby incorporate by this reference as though fully set forth the fees from:
1. 2009 edition of the International Building Code (IBC)
 2. 2009 edition of the International Residential Code (IRC)
 3. 2009 edition of the International Mechanical Code including the 2009 International Fuel Code, 2008 National Fire Protection Association 58 (Liquefied Petroleum Gas Code) and 2009 National Fire Protection Association 54 (National Fuel Gas Code)
 4. 2009 edition of the Uniform Plumbing Code
 5. Washington State Barrier Free Regulations (Title 51 WAC)
 6. Current edition of the Washington State Energy Code
 7. 2009 edition of the International Fire Code
 8. Current edition of the Washington State Ventilation & Indoor Air Quality Code
- B. Valuation for Calculating Building Permit Fees shall be determined according to the International Code Council "Building Valuation Data" which is herein incorporated by reference as though fully set forth. The "Building Valuation Data," including modifiers, is found in Building Safety Journal, and is published quarterly by the International Code Council. Subsequent semi-annual revisions of the "Building Valuation Data" shall be automatically incorporated by this reference to be effective immediately following each new publication. Building permit fees shall be based on the formulas contained in Table 1A.

Table 1A: Building Permit Fees

Total Valuation	Fee
\$1.00 to \$499.99	\$23.50
\$500.00 to \$1,999.99	\$23.50 for the first \$499.99 plus \$3.05 for each additional \$100, or fraction thereof, up to and including \$1,999.99.
\$2,000.00 to \$24,999.99	\$69.25 for the first \$1,999.99 plus \$14 for each additional \$1,000, or fraction thereof, up to and including \$24,999.99.
\$25,000.00 to \$49,999.99	\$391.25 for the first \$24,999.99 plus \$10.10 for each additional \$1,000, or fraction thereof, up to and including \$49,999.99.
\$50,000 to \$99,999.99	\$643.75 for the first \$49,999.99 plus \$7.00 for each additional \$1,000, or fraction thereof, up to and including \$99,999.99.
\$100,000 to \$499,999.99	\$993.75 for the first \$99,999.99 plus \$6.50 for each additional \$1,000, or fraction thereof, up to and including \$499,999.99.
\$500,000 to \$999,999.99	\$3,233.75 for the first \$499,999.99 plus \$4.75 for each additional \$1,000, or fraction thereof, up to and including \$999,999.99.
\$1,000,000 and up	\$5,608.75 for the first \$999,999.99 plus \$3.65 for each additional \$1,000, or fraction thereof.

C. Plan Review Fees:

Residential:

- New construction & additions: 65% of permit fee using Table 1A
- Repairs & Alterations: \$75.00 per hour (min. 1 hour)

Commercial:

- New construction & additions: 85% of permit fee using Table 1A
- Tenant Improvements (TI) & Alterations: 85% of permit fee using Table 1A **OR** \$75.00 per hour (min. 1 hour) as determined by the building official
- Plumbing & mechanical: 25% of permit fee or City's hourly rate of \$75.00 per hour (min. 1 hour)

D. Fire Department Commercial Plan Review.

New or Tenant Improvement Building Permits – Applies to all Occupancies except Groups R-3 and U

Construction Valuation		Fee
From:	To:	
\$0	\$1,000	\$30
\$1,001	\$5,000	\$115
\$5,001	\$10,000	\$175
\$10,001	\$20,000	\$200
\$20,001	\$45,000	\$260
\$45,001	\$100,000	\$315
\$100,001	\$250,000	\$430
\$250,001	\$500,000	\$545
\$500,001	\$1,000,000	\$690
\$1,000,001	\$1,500,000	\$775
\$1,500,001	\$2,000,000	\$835
>\$2 million		\$865 plus \$55 per \$500,000 (prorated over \$2 million)

E. Other Inspections and Fees:

See Section II Tables D and E for Sprinkler and Alarm fees.
 Inspections outside of normal business hours: \$75/ hour, 2 hour minimum.
 Reinspection fees assessed at \$75 per hour (1 hour minimum).
 Penalty for commencing work prior to permit issuance: Double permit fee.
 Inspections for which no fee is specifically indicated: \$75 /hour (1/2 hour minimum).
 Additional plan review required by changes, additions or revisions to plans: \$75/hour.
 For use of outside consultants for plan checking and inspections, or both: Actual Costs

F. Miscellaneous Building Permit Fees. Tables B2 and B3 specifies those fees charged for permits to be issued pursuant to the Washington State Building Code and which are not included in the provisions of Subsections A and B:

Table B2: Schedule of Miscellaneous Building Permit Fees

Permit	Fee (\$)		
	Permit	Plan Check	Total
Accessory Structures	Valued as Utility (BVD) See Table 1A for fees	65% of permit fee	Permit fee + plan check fee
State Building Code fee (each permit)	\$4.50		\$4.50
Each additional residential unit (per RCW 19.27.085)	\$2.00		\$2.00
Deck	Valued at: \$15/sq.ft. – uncovered \$17/sq.ft. – covered See Table 1A for fees	65% of permit fee	Permit fee + plan check fee
Demolition	\$75		\$75
Dock	Valued at: \$30/sq.ft. See Table 1A for fees	65% of permit fee	Permit fee + plan check fee
Fence/Retaining Wall	\$75	\$75/hr (1/2 hr min)	\$75 + plan check fee
Manufactured Home Placement ((& Skirting))	\$225		\$225
Certificate of Occupancy	\$100		\$100
Reroof:			
Residential	\$40.00		\$40.00
Residential with sheathing	\$90.00		\$90.00
Commercial	Refer to Table1A	Same as Commercial TI	Permit fee + plan check fee
Adult Family Home	\$150		\$150
Re-inspection	\$75		\$75

BVD = Building Valuation Data, August 2012, International Code Council

Table B3: Mechanical and Plumbing Fees

Mechanical Fees		Plumbing Fees	
Mechanical Permit	35.00	Plumbing Permit	35.00
AC unit < 100,000k	20.00	Back Flow Preventer	10.00
AC unit 100,000k – 499,999 k	30.00	Bathtub	10.00
AC unit 500,000k and up	40.00	Commercial Dishwasher	15.00
Air Handlers <10,000 CFM	13.00	Drinking Fountain	10.00
Air Handlers 10,000 CFM and up	23.00	Floor Sink or Drain	10.00
Boilers	15.00	Grease Interceptor	50.00
Commercial Incinerator	30.00	Grease Traps	10.00
Condensers	20.00	Hose Bibs	10.00
Domestic Incinerator	20.00	Ice Makers	10.00

Mechanical Fees		Plumbing Fees	
Duct Work	15.00	Kitchen Sink	10.00
Evaporative Cooler	15.00	Laundry Tray	10.00
Forced Air System <100,000 BTU	18.00	Lavatory	10.00
Forced Air System 100,000 or more BTU	24.00	Lawn Sprinkler System	10.00
Gas Clothes Dryer	15.00	Medical Gas 1- 5	50.00
Gas Piping 1 – 4 Outlets	11.00	Medical Gas, for each one over five	10.00
Additional Outlets	1.00	Mop Sink	10.00
Heat Exchanger	15.00	Other	10.00
Heat Pump	15.00	Pedicure Chair	10.00
Manf. Fireplace/ Log Lite	18.00	Reclaimed Water System	40.00
Misc. Appliance	15.00	Residential Dishwasher	10.00
Range Hood – Residential	15.00	Roof Drains	10.00
Range Hood – Commercial	150.00	Shower	10.00
Refrigeration Unit <100K	20.00	Specialty Fixtures	10.00
Refrigeration Unit 100K – 499K	30.00	Supplemental Permit	15.00
Refrigeration Unit 500K and up	40.00	Testing of Reclaimed Water System	30.00
Relocation Repair	15.00	Urinal	10.00
Stove Appliance	15.00	Vacuum Breakers 1- 5	10.00
Supplemental Permit	15.00	Vacuum Breakers, for each one over five	2.00
Vent Systems	15.00	Washing Machine	10.00
Vent w/o Appliance	10.00	Waste Interceptor	10.00
Ventilation Fans	10.00	Water Closet	10.00
Wall/Unit Heaters	20.00	Water Heater	15.00
Water Heater	15.00	Water Service	10.00
Wood Stoves	18.00		

Section 4. Sewer Fees. Fees for various services, actions, and permits regarding sewerage, as per LSMC Titles 6 and 14, shall be as listed in Table C (below).

Table C: Schedule of Sewer Service Rates, Fees, and Fines

Service/Action	Fee/Fine (\$)
Sewer Disconnection Inspection – Capping	125
Sewer Re-Connection - Uncapping	125
Side Sewer Permit Fee	
- Single-family dwelling units	250
- Duplex	375
- Tri-plex	500
- Multiple Units 4+ (apartments & condos)	250 for the first unit served, next 3 units 125 each. Sequence restarts with 5 th unit.
- Commercial or industrial buildings	250for the first unit served, next 3 units 125 for each additional separate leasable area. Sequence restarts with 5 th unit.
- Modifications or additions to an existing side sewer servicing a building where such modification or addition is done entirely on private property	125 each
Local Facilities Charge	
- Sewer stub permit (except in case below)	3,530 each
- No stub provided by District	
- Exception per Developer Extension Agreement or through ULID Agreement. Stub extension is subject to reimbursable.	Check with Lake Stevens Sewer District
Illegal connections to District sewer system	1000 fine and 100per day
Sewer Connection Charges	6,850 per residential unit or equivalent
- Grade Road Basin Charge	1,080 per residential unit or equivalent within Grade Road Basin per LSMC 6.16.100
- Grade Road Frontage Charge*	6,280 per residential unit or equivalent fronting Grade Road Sewer Main Extension per LSMC 6.16.100
	*Units subject to Grade Road Frontage charge are also subject to Grade Road Basin Charge
	The Grade Road Basin and Frontage Charges shall be updated with interest annually in January of each year with the current State Investment Pool rate until January 1, 2015
- General Facilities (except some properties in ULID 70-1)	6,850 per residential unit or equivalent

Service/Action	Fee/Fine (\$)
<ul style="list-style-type: none"> - General Facility Reimbursable Fee per Developer Extension Agreement - Administrative Fee for processing sewer assessment agreements 	<p>May be applicable on a basin to basin case. Check with Lake Stevens Sewer District.</p> <p style="text-align: right;">1,100</p>
<p>Monthly Sewer Service Rate (LSMC 6.20.020)</p> <ul style="list-style-type: none"> - Except grandfathered qualified Low Income Senior Citizens and Low Income Disabled Persons. 	<p>65/unit for the first 900 ft³ of water consumption/unit 7.22/100 ft³ (or part thereof) of water consumption/unit over 900 ft³</p>
<p>Late Payment Charge (effective 1/1/97)</p> <ul style="list-style-type: none"> - If the monthly sewer service charge is not received by the District on or by the last calendar day of the month there will be assessed a 10% late charge on the current month's outstanding charges and 8% annum interest charge on the total outstanding balance. 	
<p>Lien Fee</p> <ul style="list-style-type: none"> - The fee for filing/releasing liens shall include the cost set by the Snohomish County Auditor's Office plus District administrative fee. 	<p style="text-align: right;">County Fee + 35</p>
<p>Collection of delinquent accounts</p> <ul style="list-style-type: none"> - The fee shall be set by the collection agency <p>Foreclosure (attorney and administrative fees)</p>	<p style="text-align: right;">2,500</p>

Section 5. Animal Code Fees. Fees for other various services, actions, and permits related to Animal Control, as per LSMC Title 5, shall be as listed in Table D.

Table D: Animal Code Fees

Permit/Action	Fee (\$)
Dog/Cat License:	
– Each dog or cat licensed within 60 days of residency or within 60 days of acquiring pet, lifetime	Free
– Each dog or cat neutered or non-neutered, lifetime	20
– Senior Citizen (defined as being 62 years of age or older) owners, lifetime	Free
– Service and guide dogs, lifetime	Free
– Duplicate license for lost or destroyed dog/cat tag	4
– Other Code Violations:	
■ First Offense, For first offense the fee for such violation will be set equivalent to the Basic Rule Violation as set forth in the Justice Information System (JIA) Law Table as published by the Administrative Office of the Courts.	
■ Second Offense, For the second offense, the fee for such violation shall be set equivalent to double the Basic Rule Violation as set forth in the Justice Information System (JIA) Law Table as published by the Administrative Office of the Courts.	
Impound Fees for Cost Recovery:	
– Dogs and cats (at police kennel)	25
- Dogs, Cats and other animals (at/or transported to animal shelter) As set forth by the Everett Animal Shelter animal impound fee schedule, plus an additional \$5.00 administrative fee for reviewing and processing billing statements.	
– Animals	30
– Additionally, any costs incurred which exceed the base fee and which are associated with the collection, impoundment, maintenance, treatment, and destruction of the animal(s), any fees owing, and any costs of damage cause by the animal(s) shall be the liability of the owner. The City is not responsible for such costs incurred.	Varies
Pasture/Waste Management Plan (Sec 5.18.04): See Table A Land Use Fees	

Section 6. Miscellaneous Police Fees. Fees for various Police services, actions, and permits shall be as listed in Table E.



Table E: Schedule of Miscellaneous Police Fees & Fines

Permit/Action/Service	Fee (\$)
Fingerprinting:	
1. For Concealed Pistol Licenses	State fee
2. People who work or reside in the City (per 2 cards)	10
3. People who do not work or reside in the City (per 2 cards)	20
Lamination Services – Concealed Pistol Licenses	3.50
Boat Launch Parking Fees and Fine:	
1. Daily	5
2. Annual Permit	75
3. Low-income Seniors (defined as being 62 years of age or older)	40
4. Failure to pay fee (50% reduction if paid with in 24 hours)	40
5. Current Washington State Fishing License decal affixed to vehicle	Free
DUI cost recovery:	
1. Administrative fee	200
2. Jail booking fee (or as revised by Snohomish County or City of Marysville)	82
3. Daily lodging fee (or as revised by Snohomish County or City of Marysville)	61
False Alarm Fees:	
1. Second response to premises within six months after the first response	25
2. Third response to premises within six months after a second response	50
3. Fourth response to premises in six months after the third response and for all succeeding responses within six months of last response	100
Impound Fees for Cost Recovery:	
Signs if owner wants returned, per sign	25
Impound fee for wheeled recreational devices	60
Administrative storage fee for impounded vehicles	15
Fine for parking:	
1. Fine for parking as described in Lake Stevens Municipal Code Section 7.12.090, Prohibited Parking	40
2. Fine if paid within 24 hours	20
Off-duty Officer:	Refer to current billable rate schedule
Security for Non-profits	
Security for others (includes a 15% administrative fee)	
Special Event Services Deposit: (For special planned events that require additional police services)	\$100 per hour of event with one hour minimum
Letters for search of local criminal justice data bases	10
Police records research, 1 hour minimum, billed in ½ hr increments, paid in advance	Rate effective beginning: 1/1/10 61.00/hr
Administrative dismissal of infraction for operating motor vehicle without insurance – administrative fee	25

Section 7. Miscellaneous Fees. Fees for various other services, actions, and permits shall be as listed in Table F.

Table F: Schedule of Miscellaneous Fees and Fines

Permit/Action	Fee or Fine (\$)
Public Works :	Refer to current billable rate schedule
Hourly Rate for Service for Non-profits	
Hourly Rate for Service for others (includes a 15% administrative fee)	
Business Licenses:	
- Non-refundable Adult Entertainment (Cabaret) application Fee	100
- Adult Entertainment (Cabaret) Establishment (annual)	500
- Adult Entertainment (Cabaret) Establishment Manager/ Entertainer (annual)	50/person
- Business License Registration – Application	40
- Business License Registration – Annual Renewal	25
- Temporary business license	40
- Renewal	5
- Canvassers, Solicitors and Peddlers (includes City application fee, does not include Washington State Patrol application fee. License expires one year from date of application.)	75 for the 1 st three employees, and \$10 for each additional employee
- Live music and/or dance entertainment (annual)	50
- Games (annual)	50
- Pawnbroker and Second Dealers (annual)	500
- Washington State Department of Licensing's Master License Service	Currently New Application \$15 Renewal \$9
- Business license handling fee (fees shall be automatically amended by the State)	
Duplication of Public Records: (postage/delivery costs extra)	
- In-house Copying of City documents for the public	15¢/page/side first \$2 charge is free
- In-house Copying of City documents to pdf when original document is not in electronic format	10¢/page/side first \$2 charge is free \$1 extra for copy to CD
- In-House duplication of City documents to CD, such as Comprehensive Plan, Lake Stevens Municipal Code Title 14, Urban Design Standards, Engineering Design and Development Standards, etc.	10/CD
- Documents or CDs printed by outside party	Actual cost to reproduce
- Maps - Duplication of maps less than 11"X17"	2
- Maps - Duplication of maps greater than 11"x17"	6
- Special requests for plotted maps, aerials, plans, etc. (each)	12
- Audio cassette recordings of meetings: Duplicated by staff	1/tape
Duplicated by outside party	Actual cost to reproduce

Permit/Action	Fee or Fine (\$)
<ul style="list-style-type: none"> - Color photos (cost to reproduce) - Duplication of all other types of City media (i.e., photographs, audio/video tapes, blueprints) shall include the cost of duplication, postage/delivery costs, and actual staff time - Certified copy of a public record 	<p style="text-align: right;">40¢</p> <p style="text-align: right;">\$5 for 1st Page and \$1 each after the 1st Page</p>
Dishonored Check Fine (in payment of City services)	35
Passports (fees shall be automatically amended by U.S. Dept. of State)	Consistent with effective federal changes
Age 16 and Over	Passport Fee 110 Execution Fee 25
Under Age 16	Passport Fee 80 Execution Fee 25
Passport Photos	\$16.00/set including sales tax

Section 8. Community Center Rental Fees. Fees for renting the City's Community Center shall be as listed in Table G.

Table G: Schedule of Rental Fees

Classification	Rental Amount (\$)
*Local users – see definition below	\$10/ hour or \$60/day
Non-local users	\$15/hour or \$90/day
**Non-Profit Community Interest Groups - see definition below	\$5/hour
Public utilities and any instrumentality of the United States, State of Washington, or political subdivision thereof with respect to the exercise of governmental functions	Free

1. If the City requires general liability insurance coverage, the event shall be required to provide proof of insurance in compliance with the Facility Use Permit rules ten days prior to the event. If applicant requests additional time (less than 10 days prior to the event) to provide proof of insurance, a City expedite fee of \$25 will be charged. If proof of insurance is not provided, the event will be cancelled.
2. "Local" user is a group whose coordinator or assigned member is a citizen of the City of Lake Stevens.
3. **Non-Profit Community Interest Groups devoted to community interest whose activities generally take place within the geographical confines of the City of Lake Stevens. This classification would include, but not be limited to: Girl Scouts, Lake Stevens Historical Society and Lake Stevens Rowing Club. Non-profit group is defined as being registered with the Secretary of State as a non-profit.
4. A minimum security deposit of \$25 MAY be required of users when, in the judgment of the facilities scheduler, the type of facility use may necessitate such a deposit.
5. In case of a cancellation, a written ten-day advance notice must be received to qualify for a refund.

Section 9. Lundeen Park Shelter Fees. Fees for the rental of Lundeen Park Shelters shall be as listed in Table H (below).

Table H: Schedule of Lundeen Park Shelter Rental Fees

	Group Size	Number of shelters	Rate
Lundeen Park Single Shelter Pricing	1-25	1	\$ 40 <i>reservation fee</i> + \$ 7 <u>\$ 47</u>
	26-50	1	\$ 60 <i>reservation fee</i> + \$ 7 <u>\$ 67</u>
Lundeen Park Double Shelter Pricing	1-50 <i>(patron requests both shelters)</i>	2	\$ 80 <i>reservation fee</i> + \$ 7 <u>\$ 87</u>
	51-75	2	\$ 100 <i>reservation fee</i> + \$ 7 <u>\$ 107</u>
	76-100	2	\$ 120 <i>reservation fee</i> + \$ 7 <u>\$ 127</u>

Maximum of 50 people per shelter.

Section 10. Stormwater Utility and Lake Management Charges. Fees for the Stormwater Management Utility, as per LSMC Title 11, shall be as listed in Table IA (below).

Table I: Stormwater Management Utility

Class	Impervious Surface %	Monthly Rate	Annual Rate
Single Family	NA	\$8.67/parcel	\$104.00 per parcel
Condominium	NA	\$7.17 per unit	\$86.02per unit
Undeveloped Lot	NA	Exempt	Exempt
Exempt	Less than 1%	No Charge	No Charge
Very Light	1% to 19%	\$2.38 per 1/4 acre	\$28.61per 1/4 acre
Light	20% to 39%	\$8.00 per 1/4 acre	\$96.00 per 1/4 acre
Moderate	40% to 59%	\$13.28 per 1/4 acre	\$159.36 per 1/4 acre
Heavy	60% to 79%	\$18.06 per 1/4 acre	\$216.77 per 1/4 acre
Very Heavy	80% to 100%	\$23.90 per 1/4 acre	\$286.85 per 1/4 acre
City Roads	NA	Set in accordance with RCW 90.03.525	Set in accordance with RCW 90.03.525
State Highways	NA	Set in accordance with RCW 90.03.525	Set in accordance with RCW 90.03.525

Mobile Home parks shall be charged under the appropriate rate category by their percentage of impervious surface. Duplex, Triplex, Four-plex will be charged the base single family rate multiplied by the number of units. Parcels with multiple single family structures will be charged the base single family rate multiplied by the number of structures.

Miscellaneous structures over 120sf, parking lots, play areas, and sport courts will be charged under the appropriate rate category by their percentage of impervious surface.

Segregated plat roads and driveways in private easements will be charged a single family base rate.

Unsegregated plat roads will be charged under the appropriate rate category by their percentage of impervious surface.

Undeveloped lots are not altered from the natural state by construction and include lakefront and split lots.

Fees for the Lake Management, as per Title 11 LSMC, shall be listed in Table IB (below).

Table IB: Lake Management Benefit Assessment

Class	Impervious Surface %	Monthly Rate	Annual Rate
Lakefront Lot	NA	\$16.00per parcel	\$192.00 per parcel
Split Lot	NA	\$11.33 per parcel	\$136.00per parcel

The lake front lot assessment applies to each land parcel abutting the lake shore. The split lot assessment applies to each land parcel with a portion of the lot abutting the lake shore and a portion of the lot separated from the lake shore by the city road. Each parcel abutting the lake will be charged a lakefront/split lot surcharge in addition to the appropriate Stormwater Management Utility rate.

Lakefront lots developed with only a dock or other over the water structure will receive a lakefront assessment.

Lakefront /split lot parcels with multiple single family structures will be charged the applicable assessment in addition to the single family Stormwater Management Utility rate multiplied by the number of units.

Commercial lakefront/split lot parcels will be charged a lakefront/split lot assessment in addition to the appropriate rate category by their percentage of impervious surface.

Parcels with a common interest in a community beach will be charged a proportionate share of the lakefront assessment in addition to their single family (or other) Stormwater Management Utility rate.

Section 11. Annual Fire Inspection Fees and Fire Department Related Service fees. Fees for fire inspection and Fire Department related Services fees shall be as listed in Table J below.

Table J: ANNUAL FIRE INSPECTION

AND FIRE DEPARTMENT RELATED SERVICE FEES

TABLE A -- ANNUAL FIRE INSPECTION FEE			
Building size In square feet	FEE		
	B, M, R	A, E, LC, R	F, H, I, S Occupancies
0-1000	\$45	\$75	\$95
1,001-2,500	\$65	\$105	\$165
2,501-5,000	\$95	\$155	\$245
5,001-7,500	\$115	\$185	\$285
7,501-10,000	\$125	\$195	\$300
10,001-12,500	\$145	\$230	\$315
12,501-15,000	\$165	\$275	\$330
15,001-17,500	\$175	\$295	\$345
17,501-20,000	\$190	\$310	\$365
20,001-30,000	\$215	\$350	\$375
30,001-40,000	\$230	\$375	\$385
40,001-50,000	\$245	\$400	\$400
50,001-60,000	\$260	\$425	\$425
60,001-70,000	\$275	\$450	\$450
70,001-100,000	\$300	\$475	\$475
100,001-150,000	\$350	\$500	\$500
150,001-200,000	\$400	\$525	\$525
OVER 200,000	\$450	\$550	\$550
REINSPECTION FEES			
For uncorrected violations at time of first re-inspection			\$25
For uncorrected violations at time of second re-inspection			\$50
SPECIAL INSPECTION FEES			
Riser system Re testing			\$58 each
Fuel storage tank abandonment			\$58.00 each
Alarm System re-testing			\$58.00 each
SPECIAL EVENT PERMIT FIRE INSPECTIONS			

During regular business hours	\$115
After regular business hours/weekends	\$69/hour of actual
PYROTECHNIC FIREWORKS	
Retail fireworks	\$115
Wholesale fireworks	\$115

FIRE DEPARTMENT RELATED SERVICE

Table B -- SPECIAL ASSEMBLY PERMITS(IFC 105.6.43)	
Temporary Membrane Structures, Tents & Canopies	
(See IFC 105.6.43& IFC 24)	
Duration / Commercial Use	Fee:
< 3 days	No Fee
4 to 180 days	\$58
Temporary Assembly	
For <99 people	\$58
For >100 people	\$115
Table C -- EXPLOSIVES (105.6.15)	
Retail Fireworks Stand	
Retail Sales - Wood Stand	included in Fireworks Permit fee
Retail Sales – Tent	included in Fireworks Permit fee
Must meet requirements of Table B, but no additional fees required.	
Public Display	
Licensed Pyrotechnic Operators Only	\$115
Temporary Storage	\$173

Table D -- NFPA 72 FIRE ALARM SYSTEMS 105.7.4		
Comprehensive Fees for Permit, Review & Inspection		
Tenant Improvement or System Modification		
Number of Devices*		Fee:
From:	To:	
1	2	\$ 86
3	5	\$ 144
6	10	\$ 201
11	20	\$ 259
21	40	\$ 345
41	100	\$ 431
101	200	\$ 546
>200		\$575 plus \$58 per 100 additional devices (prorated)
New System		
Number of Devices*		Fee:
From:	To:	
1	100	\$403
101	200	\$546
>200		\$575 plus \$58 per 100 additional devices (prorated)
In addition to device* fees shown, the following fees also apply:		
FACP and/or Transmitter		
Replaced		\$144
New		\$230
Note: All Central Station Monitoring must be UL or FM listed.		
*Devices include separate individual portions of a Fire Alarm System such as: Initiation Devices, Notification Appliances, Flow Switches, Supervisory Switches, Magnetic Door Hold-Open devices, Remote Annunciators, Pull Stations, Beam Detectors (each piece is one device), and other such devices.		

Table E -- FIRE SPRINKLER SYSTEMS (105.7.1, 105.7.11, 105.7.4)		
Tenant Improvement or System Modification (NFPA 13 / 13R)		
Number of Sprinklers or Devices** From: To:		Fee:
1	2	\$ 86
3	5	\$ 144
6	10	\$ 201
11	20	\$ 259
21	40	\$ 345
41	100	\$ 460
101	200	\$ 546
201	300	\$ 661
>300		\$690 plus \$58 per 100 additional devices (prorated)
New System (NFPA 13 / 13R)		
Number of Sprinklers or Devices** From: To:		Fee:
1	100	\$431
101	200	\$546
201	300	\$690
>300		\$719 plus \$58 per 100 additional devices (prorated)
NFPA 13-D (RESIDENTIAL)		
Number of Sprinklers:		Fee*:
1 to 10		\$ 201
11 to 25		\$ 259
26+		\$ 316
*Non-required NFPA 13-D Systems Fee 50% of listed fees for voluntary installations		
Hood Suppression Systems		
Type of System:		Fee:

CITY OF LAKE STEVENS

RESOLUTION NO. 2013-13

Pre-Engineered	\$144
Custom Engineered	\$316
Standpipe Systems	
Class I, II or III new or existing	\$173
Fire Pump (each)	
\$345 each, maximum \$575	
**Devices include separate individual portions of a Fire Sprinkler System such as: Sprinklers, Risers, Valves, Pull Stations, Beam Detectors (each piece is one device) and other such devices.	
Table F -- HAZARDOUS MATERIALS FACILITY CONSTRUCTION (105.7.7)	
Hazardous Materials Installation, Repair, Abandonment, Removal, Closure or Substantial Improvement	
Permits in addition to Annual Operational Permit	
Permits required when quantity exceeds permit amounts in Table 105.6.20.	
QUANTITY	FEE
1-2 Materials in Excess of Permit Amount	\$115.00
3-5 Materials in Excess of Permit Amount	\$230.00
>5 Materials in Excess of Permit Amount	\$460.00
Table G -- COMPRESSED GASES (105.7.3) AND FLAMMABLE & COMBUSTIBLE LIQUIDS (105.7.6) AND LP-GAS (105.7.9)	
Compressed Gas Installation, Repair, Abandonment, Closure or Substantial Modification to a Compressed Gas System when the Compressed Gases used or Stored exceed the amounts listed in Table 105.6.8.	
Modification or repair of a flammable or combustible liquids pipeline. Installation or construction or Alteration of those items listed in 105.7.6	
For installation of or modification to an LP-gas system.	
Compressed Gas System	\$201
Flammable & Combustible Liquids	
< 500 Gallons	\$115
>= 500 Gallons	\$230
>= 1000 Gallons	\$575
LP-Gas System	\$86

Table H -- SPRAY BOOTHS (105.7.11) AND INDUSTRIAL OVENS (105.7.8) Note: Separate Sprinkler Permit Required under Table E	
NOT SUBJECT TO TABLE A FEES	

SPRAY BOOTHS Type:	Fee:
Pre-Engineered w/ documents	\$ 173
Site-Built or used w/o documents	\$ 288
INDUSTRIAL OVENS	\$ 288
Table I -- ANNUAL BUSINESS INSPECTION FEES	
1 st Inspection	In accordance with LSMC 2.52
Table J -- MISCELLANEOUS FEES	
Work Begun or Completed before Permit Issuance	Permit Fees Triple / No inspections until paid
After Hours Inspection (Regular Inspection Hours: 7:30am to 3:30pm)	\$86 per hour / 1 hour minimum
Firefighter Fire Watch or Standby	\$75 per hour / per firefighter 2-hour minimum per firefighter
Fire Flow Determination	\$115
Re-Inspection Fee for each inspection after the 3rd site visit, or as required by the fire code official.	\$86
<p>Fees may be reduced by the fire code official for small or short duration projects. Note: \$25 of each fire permit issued is retained by the permit department as an administrative fee. The remainder of the fees listed is remitted to the Fire Department. "Additional plan review required by changes, additions or revisions to plans \$58.00 per hour." Outside Consultant Review: Actual Costs plus 10% (Fire Marshal Review Fee)</p>	
TABLE K -- OPERATIONAL PERMITS	
An Operational Fire Permit constitutes permission to store, or handle hazardous materials, or to operate processes which may produce conditions hazardous to life or property.	
An Operational Fire Permit is required prior to engagement in the activities, operations, practices or functions described in IFC 105.6 AND, if an ongoing operation, is required to be renewed annually before expiration.	
Unless otherwise indicated, Operational Permit Fees are \$100 each. If more than one permit is required for a single occupancy, all permits shall be issued under a single permit fee in the amount of \$150.	
Request for waivers of fees for non-profit events, in accordance with Title 9.28.135, shall be made in writing to the Fire Marshal no less than 7 days before the event or will not be considered.	
Permit Type:	Required for:
Aerosol Products	Level 2 or 3 in excess of 500 lbs
Amusement buildings	Operation of a special amusement building

Aviation Facilities	Using a Group H or Group S occupancy for aircraft servicing or aircraft fuel-servicing vehicles
Carnivals & Fairs	Conducting a carnival or fair
Battery Systems	Installing or using lead-acid battery systems w/ a liquid capacity > 50 gallons
Cellulose Nitrate film	Storing, handling or using cellulose nitrate film in a Group A occupancy
Combustible Dust	Operation of a grain elevator, flour starch mill, feed mill, or a plant pulverizing aluminum, coal, cocoa, magnesium, spices or sugar, or other operations producing combustible dusts as defined in Chapter 2 of the IFC
Combustible Fibers	Storage and handling of combustible fibers in excess of 100 cubic feet (Agricultural storage exempt)
Compressed Gases	Storage, use or handling at normal temperature and pressure of compressed gases in excess of quantities listed in IFC 105.6.8(compressed gas-fueled vehicles exempt)
Covered Mall Buildings	1. Placement of retail fixtures or displays, concession equipment, displays of highly combustible goods and similar items in the mall 2. Display of liquid- or gas- fired equipment in the mall. 3. The use of open-flame or flame-producing equipment in the mall.
Cryogenic Fluids	Production, storage, transport on site, using, handling or dispensing cryogenic fluids in excess of the amounts listed in Table 105.6.11. Exception: Permits are not required for vehicles equipped for and using cryogenic fluids as a fuel for propelling the vehicle or for refrigerating the lading.
Cutting and Welding	Cutting or welding operations within the jurisdiction
Dry Cleaning Plants	Engaging in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry cleaning equipment
Exhibits and Trade Shows	Operating an exhibit or trade show
Explosives	The manufacture, storage, handling, sale or use of any quantity of explosive, explosive material, fireworks, or pyrotechnic special effects within the scope of IFC 33
Flammable and Combustible Liquids	See WAC 51-54-0100, 105.6.16
Floor Finishing	Floor finishing or surfacing operations exceeding 350 square feet (33 m2) using Class I or Class II liquids
Fruit and Crop Ripening	Operating a fruit-, or crop-ripening facility or conducting a fruit-ripening process using ethylene gas.
Fumigation and Thermal Insecticidal Fogging	Operating a business of fumigation or thermal insecticidal fogging and to maintaining a room, vault or chamber in which a toxic or flammable fumigant is used.

Hazardous Materials	Storage or Use in excess of quantities shown in Table 105.6.20.
High-piled Storage	Using a building or portion thereof as a high-piled storage area exceeding 500 square feet (46 m ²)
Hot Work Operations	Hot work including, but not limited to: 1. Public exhibitions and demonstrations where hot work is conducted. 2. Use of portable hot work equipment inside a structure. Exception: Work that is conducted under a construction permit. 3. Fixed-site hot work equipment such as welding booths. 4. Hot work conducted within a hazardous fire area. 5. Application of roof coverings with the use of an open-flame device. 6. When approved, the fire code official shall issue a permit to carry out a Hot Work Program. This program allows approved personnel to regulate their facility's hot work operations. The approved personnel shall be trained in the fire safety aspects denoted in this chapter and shall be responsible for issuing permits requiring compliance with the requirements found in Chapter 26. These permits shall be issued only to their employees or hot work operations under their supervision.
Industrial Ovens	Operation of industrial ovens regulated by IFC 21
Lumberyards and Woodworking Plants	Storage or processing of lumber exceeding 100,000 board feet (8,333 ft ³) (236 m ³)
Liquid- or gas-fueled vehicles or equipment in assembly buildings	Display, operation or demonstration of liquid- or gas-fueled vehicles or equipment in assembly buildings
LP Gas	1. Storage and use of LP-gas Exception: A permit is not required for individual containers with a 500-gallon (1893 L) water capacity or less serving occupancies in Group R-3. 2. Operation of cargo tankers that transport LP-gas.
Magnesium	Melting, casting, heat treating or grinding more than 10 pounds (4.54 kg) of magnesium
Miscellaneous Combustible Storage	Storing in any building or upon any premises in excess of 2,500 cubic feet (71m ³) gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork or similar combustible material
Open Burning	Contact Fire District Directly at 425.334.3034
Open Flames and Torches	Removing paint with a torch; or using a torch or open-flame device in a hazardous fire area
Open Flames and Candles	Using open flames or candles in connection with assembly areas, dining areas of restaurants or drinking establishments
Organic Coatings	Any organic-coating manufacturing operation producing more than 1 gallon (4 L) of an organic coating in one day
Places of Assembly	Operating a place of assembly
Pyrotechnic special effects material	Use and handling of pyrotechnic special effects material

CITY OF LAKE STEVENS

RESOLUTION NO. 2013-13

Pyroxylin Plastics	Storage or handling of more than 25 pounds (11 kg) of cellulose nitrate (pyroxylin) plastics and for the assembly or manufacture of articles involving pyroxylin plastics
Refrigeration Equipment	Operation of a mechanical refrigeration unit or system regulated by IFC 6
Repair garages and motor fuel-dispensing facilities.	Operation of repair garages and automotive, marine and fleet motor fuel-dispensing facilities
Rooftop Heliport	Operation of a rooftop heliport
Spraying and Dipping	Conducting a spraying or dipping operation utilizing flammable or combustible liquids or the application of combustible powders regulated by IFC 15
Storage of scrap tires and tire byproducts	Establishing, conducting or maintaining storage of scrap tires and tire byproducts that exceeds 2,500 cubic feet (71m3) of total volume of scrap tires and for indoor storage of tires and tire byproducts
Temporary Membrane Structures, Tents & Canopies	The fees for this permit are in Table B. An operational permit is not required – but a construction permit is required under Table B.
Tire-rebuilding Plants	Operation and maintenance of a tire-rebuilding plant
Waste Handling	Operation of wrecking yards, junk yards and waste material-handling facilities
Wood products	Storing chips, hogged material, lumber or plywood in excess of 200 cubic feet (6 m3)

PASSED BY THE CITY COUNCIL OF THE CITY OF LAKE STEVENS THIS _____ DAY OF _____, 2013.

ATTEST:

 Vern Little, Mayor

 Norma J. Scott, City Clerk/Admin. Asst.

APPROVED AS TO FORM:

 Grant K. Weed, City Attorney



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LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: 25 Nov. 2013

Subject: Proposed Traffic Calming Partnership – Heleena Hills Homeowners Association (HOA)

Contact Mick Monken **Budget Impact:** \$9,600 Est
Person/Department: Public Works

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: **Authorize the City to enter into a partnership with the Heleena HOA to install a traffic calming traffic roundabout at the 10th Street NE and 84th Drive NE intersection**

SUMMARY/BACKGROUND: The City had been approached by the Heleena Hills HOA regarding concerns with sight distance and traffic speeds along 10th Street NE at the 84th Drive NE intersection. The City performed a site investigation and traffic study for this intersection. What was found is that this is a large residential intersection with skewed legs (designed under the County). To the immediate west of this intersection are some developments in Snohomish County which only have access through this intersection and neighborhood. The approach from the east is a long straight (approximately 600 feet) road section which may encourage higher entering speeds. This can be seen in Exhibit A. Traffic counts showed that the volumes are relatively low, approximately 270 vehicle per day, with approximately 15% of the vehicle speeding (35 MPH and over).

The City was able to address the sight distance by posting no parking near the intersection. Regarding speeding, Police enforcement was applied. However, this is not a sustainable solution. The HOA requested a permanent traffic calming measures at this intersection. Due to the low traffic volumes and number of speeding vehicles, this type of action would not typically warrant a City action. The HOA understood the City's position and it was discussed about a possible partnership where the HOA would cover materials if the City provides the labor. A concept layout (Exhibit B) was developed by the City and a cost estimate was created. This was reviewed by the HOA and accepted. From this layout, the City's estimated costs would be \$4,100 with the HOA covering material costs up to \$5,500 (Letter of offer provided in Exhibit C).

Staff is seeking direction from Council whether the City should commit to this public/private partnership. This type of partnership has been performed by other City's successfully such as Mill Creek, Woodinville, Bellevue, Seattle, Redmond, and Snohomish. If this is action is authorized, this could be performed as a trial bases so as to not set a precedent. Also, if this is considered as a option to be considered in the future, the City should consider limitations on the number of such partnership that it would allow in a year. It is expected that this will not be a common occurrence.

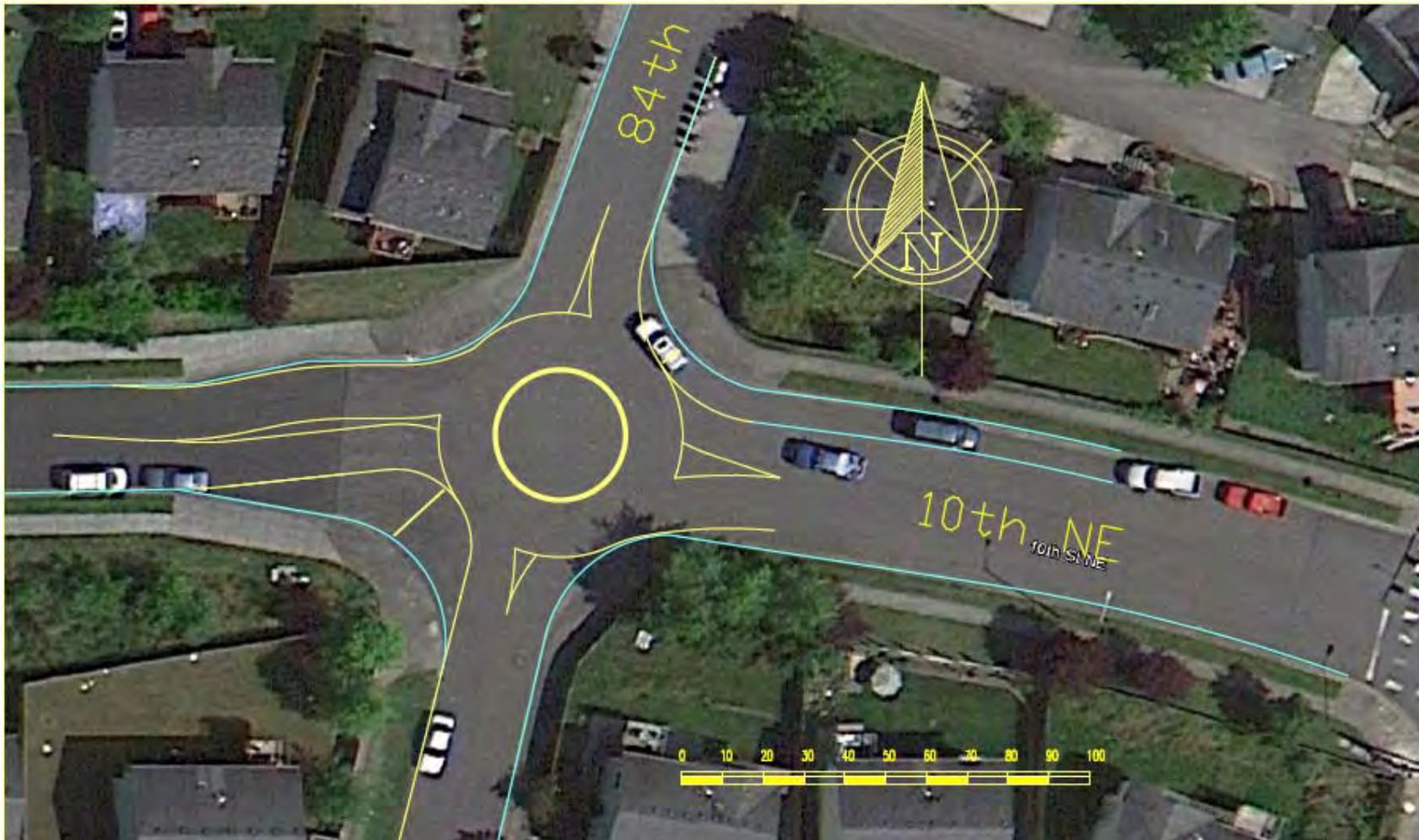
APPLICABLE CITY POLICIES:

BUDGET IMPACT: **\$4,100 would come from the existing operating Street budget and up to \$5,500 from Heleena HOA contribution.**

ATTACHMENTS:

- ▶ Exhibit A: Vicinity Map
- ▶ Exhibit B: Concept for Traffic Calming Roundabout
- ▶ Exhibit C: Heleena Hills HOA partnership offer letter

EXHIBIT B – Concept Layout of Traffic Calming Roundabout



Roundabout island is proposed to be a plastic curbed with painted approaches with RMP. SW and NE corner will have a speed bump/curb installed.

EXHIBIT C

July 28, 2013

To the Mayor/City Council:

The Heleena Hills HOA is requesting of the City Council to authorize a partnership between the City and our HOA for a neighborhood traffic safety improvement. The partnership would consist of the HOA paying for materials and the City providing the labor for the installation of a traffic calming roundabout at an intersection in our neighborhood located at 10th Street NE and 84th Drive NE.

For safety reasons, the Heleena Hills HOA requests that the City Council allocate the necessary resources to install a traffic calming roundabout at the intersection of 10th ST NE and 84th DR NE, just west of Lundeen Parkway. Your Public Works director Mick Monken has provided a design for the proposed roundabout with an approximate cost for the materials to construct the roundabout. Heleena Hills offers up to \$5,500 in materials, which would be paid to the City within 30 day of the receipt of invoice. Heleena Hills requests the City to provide the labor to install the roundabout.

Since 10th ST NE was extended to the west to accommodate the Richmond American Homes development Valtera View, there has been a significant increase in traffic on 10th ST NE. Based on the number of homes in Valtera View, this increase is at least equal to or greater than the number of existing homes on the west side of Heleena Hills that currently use this intersection. The vehicles traveling to and from Valtera View often travel at speeds that appear to greatly exceed the posted speed limit. There is a school bus stop at the intersection of 10th ST NE and 84th DR NE that serves both Valtera View and Heleena Hills. With the increase of traffic volume, potential speeding coming down the hill, and the presence of children at the bus stop, this is now a serious safety concern. A roundabout would help to mitigate that risk by slowing the traffic through this intersection.

Earlier this year the Heleena Hills Board of Directors approached Snohomish County (Valtera View is in unincorporated Snohomish County) to address the traffic issue. The Board also approached Richmond America homes. Neither of the parties felt that it was their responsibility to address the increased traffic that Heleena Hills HOA residents experience as a result of the new development. They said that the city of Lake Stevens approved the development, and that the intersection of 10th ST NE and 84th DR NE is in city limits.

Heleena Hills HOA would be grateful for the unprecedented opportunity to partner with the City in installing the aforementioned roundabout that would improve the safety of the intersection at 10th ST NE and 84th DR NE, just east of Lundeen Parkway.

Thank you in advance for your consideration on this matter.

Sincerely,



Steve Ewing

Heleena Hills HOA President



LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: November 25, 2013

Subject: City Attorney Services for 2014

Contact Person/Department: City Administrator Jan Berg **Budget Impact:** None

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:

Approve proposed City Attorney Retainer Agreement for 2014.

SUMMARY/BACKGROUND:

The proposed professional services agreement for 2014 for City Attorney services established new rates for 2014. The firm had provided advance notice of the anticipated 9% rate increase a year ago and the last increase in the hourly rates was in 2011.

The proposed increase in the hourly rate from \$160 to \$175 will be offset by a reduction in the monthly retainer hours from 35 to 30 and is within the 2014 proposed budget.

BUDGET IMPACT:

None with lowering of retainer hours and increase in hourly rate

ATTACHMENTS:

- ▶ Exhibit A: 2014 Agreement for City Attorney Services
- ▶ Exhibit B: 2013 City Attorney Hours
- ▶ Exhibit C: Memo from Weed, Graafstra & Benson dated Oct.. 23, 2013

**CITY ATTORNEY RETAINER AGREEMENT
CALENDAR YEAR ~~2013~~2014**

I - PARTIES/EMPLOYMENT

The CITY OF LAKE STEVENS (hereinafter "CITY") agrees to retain the law firm of WEED, GRAAFSTRA AND BENSON, INC., P.S., 21 Avenue A, Snohomish, Washington, and said law firm (hereinafter "CITY ATTORNEY") agrees to serve as CITY ATTORNEY on the terms and conditions stated below. The CITY ATTORNEY shall serve at the pleasure of the Mayor; PROVIDED, that all decisions relative to such employment, or termination of the same, shall be subject to confirmation by a majority vote of the City Council.

II - QUALITY OF SERVICES

The CITY ATTORNEY shall perform all legal services covered by this contract in a capable and efficient manner, and in accordance with the professional and ethical standards of the Washington State Bar Association.

III - COMPENSATION

A. Basic Retainer: The CITY shall pay the CITY ATTORNEY a retainer in the amount of ~~\$5,600.00~~\$5,250.00 per month, which retainer shall be compensation for up to ~~35~~30 hours of work per month for the following legal services:

1. To attend the two regularly scheduled meetings of the City Council per month.
2. To provide legal advice to the Mayor, Councilpersons, and administrative heads of the various departments of the CITY under the direction of the Mayor.
3. To prepare and/or review such ordinances, resolutions, and instruments as the Mayor, City Council and department heads may direct, to render legal advice on all civil and criminal matters, and to prepare or review such correspondence, contracts, easements, and instruments as may be necessary and appropriate.

B. Additional Services: The CITY shall pay the CITY ATTORNEY for the following additional or special legal services at the rate of ~~\$170.00~~185.00 per hour, or, if said services are performed by a paralegal in the CITY ATTORNEY's office the same shall be



compensated at the rate of ~~\$130.00~~140.00 per hour:

1. Time in excess of basic retainer. Any and all hours expended on legal services referred to in paragraph A above (Basic Retainer) in excess of ~~35~~30 hours per month.
2. Extra meetings. Attendance, at the request of the Mayor or Chief Administrative Officer, at evening meetings of CITY boards, commissions or committees, except for regular City Council meetings held two times a month.
3. Local Improvement Districts. All legal services performed in connection with the formation and financing of any LID or ULID (although it is understood that the primary responsibility for this type of legal work will fall under the exceptions referred to in paragraph V below).

C. Litigation. The CITY shall pay the CITY ATTORNEY for all superior and appellate court litigation and all administrative hearings of a quasi-judicial nature, except those conducted by the CITY itself, at the rate of ~~\$180.00~~195.00 per hour.

Field

D. Time Records. In order to determine appropriate compensation, the CITY ATTORNEY shall maintain accurate time records, copies of which shall be made available to the CITY.

E. Time for Payment. The CITY shall pay all compensation provided herein to the CITY ATTORNEY on a monthly basis, and within four weeks of the date on which each billing statement is received.

IV. - REIMBURSEMENT

Field

In addition to compensation for the legal services specified above, the CITY shall reimburse the CITY ATTORNEY for direct expenses incurred, and costs advanced, including but not limited to court costs, filing fees, witness fees, recording fees, copying expenses at cost, long distance phone calls, and the cost of travel, lodging and tuition relating to meetings of the Association of Washington Cities and Association of Municipal Attorneys. However, ordinary law office operating expenses, such as rent and secretarial services, shall not be compensated or

reimbursed.

V - EXCEPTIONS

This contract shall not cover legal representation relating to insurance defense, the formation and financing of local improvement districts, or other specialized fields where it is agreed by the parties that outside legal counsel should be retained.

VI - INSURANCE COVERAGE

The CITY shall provide insurance coverage for the CITY ATTORNEY's errors and omissions, and malpractice, while acting in the capacity of CITY ATTORNEY, and shall indemnify and hold the CITY ATTORNEY harmless from any and all claims brought by third parties against the CITY ATTORNEY in said capacity.

VII - EFFECTIVE DATE AND DURATION

This contract shall take effect on and after January 1, ~~2013~~2014 and shall continue in effect until December 31, ~~2013~~2014 unless earlier terminated or renegotiated by either party upon 60 days' written notice. This contract shall also be renegotiable within the final 90 days of calendar year ~~2013~~2014 for the succeeding year. If no such renegotiation is undertaken, this contract shall be renewed automatically for one calendar year upon the same terms and conditions.

DATED this _____ day of _____, ~~2012~~2013.

WEED, GRAAFSTRA
AND BENSON, INC., P.S.

By _____
GRANT K. WEED, PRESIDENT

CITY OF LAKE STEVENS

By _____
VERN LITTLE, MAYOR

ATTEST:

By _____
NORMA SCOTT, CITY CLERK

11/20/2013

Exhibit B

CITY ATTORNEY HOURS

	Contract <u>Total</u>	Hours <u>Billed</u>	Under (Over) <u>Hours</u>
January 2013	35	38	(3)
February 2013	35	34	1
March 2013	35	29	6
April 2013	35	38	(3)
May 2013	35	33	2
June 2013	35	37	(2)
July 2013	35	26	9
Aug 2013	35	21	14
Sept. 2013	35	18	17
Average Hours Used			31

LAW OFFICES OF
WEED, GRAAFSTRA and BENSON, INC., P.S.

WGB
Municipal Attorneys

21 Avenue A
Snohomish, WA 98290

360.568.3119
425.334.1480
425.259.9199
206.283.1819
FAX: 360.568.4437
www.snohomishlaw.com

George E. Benson
Cheryl L. Beyer
Grant K. Weed

Thom H. Graafstra, Of Counsel

October 23, 2013

Jan Berg
City Administrator
City of Lake Stevens
Lake Stevens City Hall
1812 Main Street
P.O. Box 257
Lake Stevens, WA 98258

Re: 2014 Legal Services

Dear Jan:

In November last year we wrote regarding our intent to adjust rates in January, 2014. A copy of my November 12, 2012 letter explaining the adjustment is enclosed.

Also enclosed please find a redline and duplicate originals of our proposed City Attorney Retainer Agreement for calendar year 2014. The rates we plan to charge for all regular municipal clients as of January, 2014 are as follows:

Retainer for first 35 hours - \$6,125.00. (previously \$5,600.00)

For all hours in excess of 35 - \$185.00/hr. (previously \$170.00/hr)

For Paralegal - \$140.00/hr. (previously \$130.00)

For litigation - \$195.00/hr. (previously \$180.00)

We believe these rates continue to be well below the rates charged in the region by comparably experienced outside municipal legal counsel.

If you are comfortable with the enclosed agreement I would ask that it be placed on the Council agenda for action in November or December. If you have questions or concerns, please be sure to contact me. Also, if you think the City would prefer a longer term agreement such as two or three years, I would be most willing to consider that as an option. Just let me know.

Jan Berg
Page 2

Thank you, staff and the City Council for your continued confidence and support. I greatly value the long standing working relationship we have had over the years with the City.

Very truly yours,



GRANT K. WEED
City Attorney

GKW/kkl

Enclosures

cc: Norma Scott, City Clerk

LAW OFFICES OF
WEED, GRAAFSTRA and BENSON, INC., P.S.

George E. Benson
Cheryl L. Beyer
Grant K. Weed

WGB
Municipal Attorneys

Thom H. Graafstra, Of Counsel

21 Avenue A
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November 12, 2012

Dear Valued Municipal Client:

As you probably know, our law firm has specialized in providing municipal law services for cities, towns and special purpose districts since the 1960's. We are one of the few firms in the Pacific Northwest that emphasize this area of practice. Because of our longstanding attorney-client relationship and the regular and ongoing need for legal services by municipal clients, we have been able to drastically reduce and discount our legal fees for municipal clients. By way of example, the private sector rate per hour in and around Snohomish County averages about \$250 per hour. Through 2012 our firm charges a basic retainer rate which equates to \$160 per hour. We have maintained that rate over the past two or three years.

Due to the circumstances described below, we want to give early notice of our intent to adjust rates commencing January 1, 2014. While we are significantly impacted by the factors described below, we have decided to maintain the current rates for calendar year 2013.

A. Statewide Municipal Rates. Based upon the 2012 AWC salary data for cities and towns who contract for outside legal services, there are about 122 cities which secure legal services with outside firms such as ours. The average hourly rate for those outside firms which charge by the hour is \$175. In the Puget Sound area the rate is higher. As stated above, the hourly rate charged by our firm has been \$160. We are well under market.

B. Experience. Our law firm specializes in municipal law. Every attorney who works on matters for your city or town has not less than 20 years of municipal law experience. The two most senior lawyers in the law firm, Grant Weed and Thom Graafstra each have in excess of 30 years of municipal experience. There is no other municipal law firm in the region that offers the same level of experience by every single lawyer who works on your legal matters.

C. Escalation of Fixed Costs. While our firm has maintained the same hourly rate over the last two or three years, fixed costs of the firm over which we have little or no control have increased significantly over the same period of time. The following are some examples:

1. Employee Health Insurance. 20% increase – 2011. 22% increase in 2012. Significant additional increase anticipated in 2013.
2. Malpractice Insurance. 20% increase between 2010 and 2012.

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3. B&O Tax increase of 3% per month – State of Washington.
4. Office Rent Increase of 4% between 2011 and 2012.

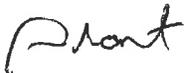
D. Employee Compensation. Our employee salaries and pay has been frozen with no increase since 2010.

We fully recognize that during the difficult economic times over the last few years our municipal clients, and especially the staff who are employed by such clients have been called upon to make significant sacrifices due to declining revenues. I hope you can see that during these times we have made our own sacrifices and have made every effort to keep our fees as low and reasonable as good business judgment will dictate.

On a regional basis our municipal law firm rates are less than any competitor in the Puget Sound area and yet we pride ourselves in providing the most efficient and cost effective services that are available. We think it is important to provide the information contained in this letter to our municipal clients in order that you can assess the value that we hope we bring to the local government table.

We will look forward to continuing to serve the needs of your city or town. I welcome any questions or input you may have concerning this letter. Most of all, thank you for your continued trust in our law firm. We truly value the longstanding relationship we have with you as a client.

Very truly yours,



Grant K. Weed, President

GKW/kkp